

Law Enforcement News

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As desk cops hit D.C. streets, Mayor tells brass:

"Don't even think of asking for more officers"

Washington, D.C., officials have declared a "crime emergency" to free up officers assigned to administrative duties for redeployment to street duty one day a week in an effort to give more police presence on the increasingly violent streets of the nation's capital.

The reassessments, which could affect up to 400 officers, are effective March 5, said Metropolitan Police Department spokesman Quintin Peterson.

The "crime emergency" was declared to avoid a legal challenge by the Fraternal Order of Police seeking to prevent the department from sidestepping a contract provision in which four weeks' notice must be given to the unionized police force before assignments and shifts are changed.

Although Mayor Marion Barry has opposed the hiring of more police officers, citing the estimated \$175-million budget deficit that the city is facing this fiscal year, Washington city officials and residents have clamored for some action to be taken to stop the spiral of drugs and violence that has already left 100 people dead this year.

Last year, Washington broke a homicide record that had stood for nearly 20 years, and most of those 372 killings were said to be

drug-related.

The municipal state of emergency, which could be effective for six months or longer, does not confer any additional powers on the police; it simply allows police administrators "without giving a 28-day notice [to the union], to put extra police officers on the street," said Rick Blake, a spokesman for Barry.

The reassignment plan calls for 174 officers on administrative duty to be put on street patrols one day a week. It also permits an estimated 150 police academy cadets with 10 or more weeks of training under their belts to go on street patrols two days a week, and reduces the number of two-officer patrol cars. In addition, more than 170 office jobs now held by sworn officers will be permanently switched to civilian slots.

According to a draft of the plan published by the Washington Post, the transfers would shift 180 officers, sergeants, lieutenants and captains to uniformed patrol, increasing manpower on the street by an average of 25 officers a day.

Berry has resisted calls to hire more police officers even as public outcry over the city's mounting crime wave increases, and has reportedly threatened to fire Police Chief Maurice Turner or

any other police official who publicly calls for more officers.

Turner had urged the Mayor to hire an additional 700 police officers and termed his request "as urgent an issue as I have ever presented."

Said Turner: "It is critical to note that these proposed short-term measures the department has developed can only be effective in the long term if overall increases in the department's authorized uniformed and civilian personnel levels are approved."

Blake told LEN that Barry's refusal to add more officers is based not only on budgetary constraints, but also on the view that the District of Columbia is "already overpoliced. We've got 4,055 officers already, which doesn't account for other seven or eight police forces that are in the District."

At least one member of the City Council is unconvinced. Councilman H. R. Crawford, who blames the bloodshed on vicious turf battles between local drug dealers and New York-based in-

vaders, has issued a call for the deployment of National Guard troops to patrol the streets in two-man jeeps. "It's time to deploy some force," he said.

Regardless of who patrols the city or how many people do the patrolling, the Mayor's spokesman said the city's Federalized judicial system "puts a cap on the number of prisoners we can take" while also mandating how much prison space the city gets. He said the city can ill-afford to make more arrests if there are no facilities to hold prisoners.

"It's not simply a bust 'em, lock 'em up, keep 'em away from the public problem," Blake said.

"We made over 45,000 arrests since Operation Clean Sweep and collected \$17 million in cash. That's not stopped it," Blake said.

Gary Hankins, president of the Washington, D.C., chapter of the Fraternal Order of Police, has threatened to file a labor grievance against the redeployment plans. Hankins, who has repeatedly called for more police

manpower, termed the transfers "something politically motivated to provide an immediate public response to a critical situation."

"It's not going to do anything significant," Hankins said in a Washington Post interview. "We have a lack of manpower and a lack of resources."

Mayor Barry also proposed a strict new gun bill that was passed by the City Council on March 8. It calls for a mandatory five-year prison sentence for anyone committing crime with a handgun, and the denial of bail to anyone caught carrying an unregistered weapon in assault cases. User and sellers of drugs within 1,000 feet of a school now face an additional three years in jail.

The new bill comes one month after four students were wounded in a shootout outside a high school in an affluent section of Northwest Washington. Police said the Jan. 26 incident was the culmination of a cafeteria argument and there were no indications it was drug-related.

LAPD reaffirms commitment to protecting potential victims

Action follows news probe of undercover unit's actions

Los Angeles Police Chief Daryl F. Gates issued a special order that was placed in the Police Department's procedural manual on Feb. 3, reaffirming the agency's commitment to protecting potential crime victims even though such actions might jeopardize undercover operations.

Gates's move represents further fallout from an investigation last September by the Los Angeles Times, which examined the procedures followed by the department's Special Investigations Section (SIS), a secretive 19-man unit that the Times said had often failed to prevent violent criminals under surveillance from attacking victims in armed robberies and burglaries.

The newspaper's investigation also recounted alleged misuse of force against criminal suspects, maintaining that in the past decade SIS officers shot twice as many people as those assigned to the department's well-known Special Weapons and Tactics (SWAT) team. It said that between 1978 and 1987, SIS officers shot 29 people, killing 16. SWAT officers shot 15 people, killing 10.

during the same period.

Gates's new order states that "reverence for human life must always be the first priority when considering the extent to which [a criminal] incident is allowed to progress and deteriorate." The Times article said that SIS officers sometimes stood by as people were victimized — emotionally and sometimes physically — by suspects under surveillance by the unit. It pointed out that the criminals could have been arrested beforehand for lesser offenses or on existing warrants.

But police officials said the officers watched in an effort to have an airtight case against suspects during trials and to ensure the suspects received longer prison terms.

Cmdr. William Booth, the Police Department's spokesman, said the directive was an "articulation" of the department's longstanding respect for human life that is implicit in the police force's motto, "To Protect and To Serve."

The order further states that "whenever an operation designed to achieve an immediate goal,

such as the arrest of a felon or the gathering of evidence to complete the investigation, causes a victim, witness or other innocent person to be subjected to potential injury or death, our primary objective must be to protect that person."

"No arrest, conviction or piece of evidence can outweigh the value of human life," the order concludes.

Booth said Gates's action was taken to allay criticism that came after the "grossly misleading" article appeared.

Mayor Tom Bradley, a former police lieutenant, had ordered the Police Commission to review the unit's activities.

"It's my belief that [Commission members] were satisfied with the information conveyed to them regarding the options being available to the unit at the time [of the incidents]," said Richard Dameron, a spokesman for the Board of Police Commissioners.

The five-member, civilian board makes policy and is the "final authority" on use-of-force issues and employee grievances, Dameron said.

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Va. acts to end status as East Coast nexus for illegal arms sales

Background checks seen likely for buyers

The Virginia Legislature approved a bill Feb. 23 that will require instantaneous computerized criminal background checks — similar to credit-card checks — of those who seek to purchase most handguns and assault weapons.

Gov. Gerald L. Baliles indicated he would assign the measure into law within the next couple of weeks, and legislators hope the system can be put into place by Oct. 1.

Gun control advocates think the bill could be a model for those states that currently have no gun control measures. Barbara Lautman, a spokeswoman for Handgun Control Inc., said the Virginia lawmakers' action was "extraordinarily significant."

"We're talking about a state where, on the state level, they had absolutely nothing. All you had to

do was walk into a store, plunk down your cash and walk out," Lautman told LEN. Previously, all a gun purchaser had to do was fill out a Federal form, swearing they were not mentally ill, under indictment or convicted felons. No on-the-spot checks were required, allowing for an immediate purchase.

The new law will require gun dealers to call a toll-free number to contact State Police officials who will conduct background checks on those who seek to purchase weapons. The bill covers bandguns with barrels of less than five inches and semiautomatic weapons that can fire more than 20 bullets from a clip.

Lautman said officials can conduct both a local and national check using the National Crime Information Center to learn whether a potential buyer has any

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Around the Nation

Northeast

MARYLAND — The Prince George's County Police Department, which had announced last February a three-year changeover to 9mm. semiautomatic pistols, is said to be running ahead of schedule with the conversion. Officials say that 356 of 950 county officers are now carrying the 9mm. Berettas, including more than half of the county's 700 patrol officers. The last officers to receive the new weapons will be those in specialty units such as homicide and community relations, one police official said.

Gov. William Donald Schaefer is pushing for passage of legislation that would stiffen penalties for drunken drivers. Among other provisions, the bill would empower police officers to confiscate the licenses of motorists who register .10 or higher on a blood-alcohol test or who refuse to submit to the test, and would permanently revoke the licenses of those convicted of three or more DWI offenses in a five-year period. The bill would also authorize for the first time testing for the presence of drugs.

NEW YORK — Asst. Chief Francis C. Hall, head of the New York City Police Department's Narcotics Division, will retire next month, it was announced Feb. 6. In the eight months since he was named chief, the 59-year-old Hall has more than tripled the size of his division, from 520 to 1,650 personnel. That number is expected to grow to 2,100 by May.

Murder in New York City's public housing projects rose by nearly two-thirds in 1988 compared to the previous year, to a record 201, according to statistics obtained by the New York Daily News. The newspaper said the number of public-housing homicides has tripled in the last decade, from 67 murders in 1978. Overall Part I crime in the housing projects — where an estimated 650,000 people live — rose by 13 percent last year.

PENNSYLVANIA — Police in Pittsburgh have reportedly denounced a plan by Chief Ralph Pampena to conduct random drug tests of officers. Pampena offered the proposal as an outgrowth of an investigation of an officer accused of withholding drug evidence in five cases.

Southeast

FLORIDA — Following a month-long trial, 61-year-old businessman Michael Tsaliakis was

sentenced to 27 years in prison Feb. 17 for masterminding an attempt to smuggle a record 7,300 pounds of cocaine into the United States in hollowed-out lumber last spring.

Miami — Mayor Xavier Suarez has unveiled a series of proposals aimed at revitalizing the city's riot-torn black communities and alleviating tensions between residents and police. The Mayor's plan includes a review system under which police officers who are shown to have a tendency to use undue force may be told to resign or accept a transfer to another agency. Suarez also proposed the creation of an independent board to review complaints of abuse or unnecessary use of deadly force.

GEORGIA — Peachtree City police Capt. Johnny Hay was reinstated as second-in-command of the department by a three-member appeals board Feb. 14. Officials said Hay was fired Jan. 13 because he was not an effective supervisor or leader, he failed to solve departmental problems, and he misled city officials into thinking that a patrol plan for the city had been implemented. Hay's boss, Police Chief Gerald Balas, was forced to resign the same day that Hay was dismissed. City officials said Lieut. Mike Langford will continue to serve as acting chief.

LOUISIANA — Crime in Bossier City remained relatively stable in 1988 despite the layoff of 17 percent of the Police Department's personnel, according to police statistics. Twenty-two police employees, including 15 patrol officers, were given pink slips last May.

Midwest

ILLINOIS — Police officers in Caseville will be issued electronic stun guns once they have completed training in their use, according to Police Chef Michael Buckner.

Chicago — Transit Authority officials have reached an interim agreement with the Chicago Police Department on a series of measures to improve security on buses and trains. A major provision of the agreement calls for the assignment of permanent police supervisors to a special bus security force made up of moonlighting officers who patrol high-crime routes on their days off. Uniformed members of the police Mass Transit Unit — which has responsibility for the CTA rail system — will be required to walk station platforms.

INDIANA — Police say a major drug source operating in Elkhart, Kosciusko, Allen, Wabash and St. Joseph counties has been disrupted, following the conviction

of seven men on charges of distributing more than \$15 million in cocaine in the northern part of the state.

KENTUCKY — Kentucky State University president Raymond Burse has ordered that police officers at the university be disarmed, and their weapons not returned until the officers have been recertified.

The head of the FBI's Kentucky field office says that the Feb. 10 arrest of two suspected hit men has provided the first major breakthrough against a Houston drug cartel's trafficking operations in Kentucky. Special Agent in Charge Lloyd Dean told a news conference following the arrest and subsequent search, "We've found here in Lexington what we have been looking for, and that was individuals that we know to be part of a drug-importing and distribution cartel operating out of Houston." Dean said that Kentucky's location — within a day's drive of 50 percent of the American population — makes it a natural drug-distribution center.

WEST VIRGINIA — Williamsburg Mayor Ray Leach said Feb. 23 that he will turn off every other street light in town to save \$7,600 monthly. The town, faced with a cash-flow crisis that has prevented it from paying its bills, has seen its police force drop to three patrol officers.

KANSAS — A State Senate committee has endorsed legislation that would impose minimum 40-year prison sentences on those convicted of certain first-degree murders, as an alternative to the death penalty. Gov. Mike Hayden is seeking to restore capital punishment in the state.

MINNESOTA — Democratic-Farm-Labor members of the State Senate have unveiled a crime-legislation package that they call a "declaration of war" on street criminals. The proposals call for longer sentences for many violent offenders, including doubling the sentences of most rapists, drug users and sellers. Judges would be given greater latitude to hand out longer prison terms to habitual and career criminals, including sex offenders whose behavior shows a pattern of escalating violence toward their victims. The package also includes the appropriation of more funds to enable the state crime lab to use new technologies that can help police identify sex offenders.

MISSOURI — The Callaway County Sheriff's Department is investigating whether satanic items found in a drug raid on a farmhouse are related to a terror spree against a local family last

Halloween. Five people were arrested in the drug raid, and cocaine, LSD, ceramic skulls and 450 books on satanic cults were seized.

Southwest

ARIZONA — Ex-Mohave County Sheriff Joe Bonzelet, who lost a re-election bid last November, will be extradited from Nevada to face charges of conspiring to set fire to the Mohave County Sheriff's office. Bonzelet was arrested Feb. 24 by Drug Enforcement Administration agents.

COLORADO — A House committee rejected legislation aimed at strengthening police officers' rights during disciplinary proceedings. The Peace Officers' Bill of Rights, introduced by Rep. Mary Ellen Epps, would have clarified officers' rights to engage in political activity and would have given them the right to be notified of adverse comments in their personnel files, to sue if they were injured on the job, and to refuse to submit to polygraph or drug tests under most circumstances. The bill also would have barred the use of arrest "quotas" as a measure of job performance.

The Rev. Marshall Gourley, a Denver clergyman, was doing his part in support of gun control by offering \$100 to anyone who turned in a firearm. The deal was too good for Robin Heid to pass up. Heid, 35, turned in a \$40 handgun, walked away with a \$60 net profit, and said he would put the \$100 toward the purchase of an assault rifle. "When you have a chance to make a good deal, you make it," Heid told the Gannett News Service.

OKLAHOMA — The state House of Representatives has approved legislation to make it an additional crime to sell drugs near schools or on school buses. The bill was sent on to the Senate.

TEXAS — Don Byrd, a former Dallas police chief and Dallas County sheriff, became the victim of a repeat offender earlier this month while working at his auto dealership. A "car buyer" took a \$26,500 Porsche out for a test drive after leaving his car at the lot. He didn't return with the Porsche, and the car he left behind proved to be stolen as well.

State Rep. L. P. Patterson has introduced a bill that would impose a \$10 fee on persons convicted of felonies and misdemeanors to help pay for construction and upkeep of county jails.

Major crimes in Houston rose by 8.9 percent in 1988 compared to the previous year, according to police statistics. The overall in-

crease was led by a 36.2-percent jump in murders, a 12.5-percent rise in burglary, and an increase of 8.8 percent in thefts. All Part I index offenses showed increases for the year, police said.

A state district court jury ruled Feb. 13 that Houston airport police officers do "substantially" the same job as Houston's city police, opening the possibility that the airport officers could receive a total of \$750,000 in back pay.

Far West

CALIFORNIA — San Diego County Sheriff's Deputy Theodore L. Beckmann was killed Feb. 8 in a traffic accident while on patrol. Beckmann, 35, an eight-year veteran of the sheriff's department, died instantly when the left half of his patrol car was sheared off in a head-on collision with a truck that swerved into the wrong lane. Det. James Rhem, who was riding with Beckmann, was hospitalized for two days with head and hand injuries. Sheriff John Duffy eulogized Beckmann as a "consummate cop" who "really made a difference."

The failure of a computer board caused a four-hour shutdown of the Los Angeles Police Department's sophisticated 911 emergency telephone system Feb. 9, creating a temporary crisis that, at its worst, caused more than 70 percent of the calls into the system to be rejected. Police officials say they are unaware of any emergency that went unanswered during the system collapse.

A national media campaign on missing children was launched in San Francisco Feb. 10 to mark the fifth anniversary of a young boy's disappearance near Golden Gate Park. The multimedia effort was unveiled by the family of Kevin Collins and by members of the Kevin Collins Foundation, established and named for the missing youth. Mike Deasy, the boy's uncle, said the ads and billboards will be designed to "grab people and stir the public to action."

OREGON — The Portland City Council has approved an ordinance allowing the city to confiscate and sell the cars of persons convicted of drunken driving with suspended licenses.

WASHINGTON — The Tacoma-Pierce County Health Board has given final approval to a planned hypodermic-needle exchange program as a way of fighting the spread of AIDS. Tacoma, a city of 160,000, has an estimated 3,000 intravenous drug users.

Putting the peddle to the metal:

Aluminum is thieves' target

A boom in aluminum prices is proving to be profitable not only for producers and recyclers of the metal used in everything from beer cans to airplanes, but also to a new breed of thieves who make a few fast bucks by stripping the valuable metal from buildings, works of art, fire hydrants, and even highway road signs.

In recent months, thieves have been stealing aluminum wherever they can find it to cash in on the ubiquitous metal's increasing value, which some industry analysts say has more than doubled in the past three years, to as high as 70 cents a pound.

Thieves are also scanning homes and streets for brass and copper fixtures because scrap-yard prices for those metals are also on the rise. Scrap copper can bring up to \$1 a pound, up from about 51 cents in 1986.

Frank Rathbun, a spokesman for the Washington, D.C.-based Aluminum Association, says the

phenomenon is "really not a surprise."

"Unfortunately, in our society, many people will do illegal things to make money. When the price of aluminum is high enough, people will steal aluminum," Rathbun told the Associated Press.

Police officials say aluminum rustlers have no shame — they believe many of the crimes are fueled by the desperation of crack addiction — and any structure that contains the metal is at risk.

In New York City, if someone offers to sell you the Brooklyn Bridge, they might actually be telling the truth. Recently, two vandals pried aluminum supports from the bridge's pedestrian walkway and workers' catwalk, causing damage estimated at \$37,000, police said.

Officer Bob Hardy, a Queens, N.Y., cop who has investigated several aluminum thefts, called the trend in metal theft "a little nuts." Hardy's recent cases in-

clude the thefts of aluminum siding and gutters from houses, and the disappearance of 100 posts from a footbridge.

"People are desperate for money. That's what it is," he said.

Metal thieves have no respect for works of art, either.

A Miami art gallery reported the disappearance of half of an eight-foot-high outdoor sculpture fashioned from aluminum. The missing half of the \$25,000 sculpture was found in a local scrapyard, where it had been peddled by thieves for a paltry \$192.50.

A few days later, the rest of the statue disappeared, according to Richard Arregui, assistant director at the Barbara Gillman Gallery.

"All that was left were the bolts from the platform," Arregui recalled.

In Kansas City, Mo., about 100 road signs were stolen in early

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Three-officer unit gets full-time role in New Orleans schools

The New Orleans Police Department is trying to make some pals among the city's teachers and schoolchildren through its Police Assistance Liaison Schools (PALS) program, a three-officer unit formed to reduce the increasing frequency with which drug and weapons are turning up among students in the city's 150 schools.

The unit, which began operations Feb. 13, was formulated by Police Supt. Warren Woodfork to address an increasing number of complaints about student behavior at certain schools, said Sgt. Carl Haydel, who heads the squad.

"What used to be termed 'kids being kids' is getting a little more serious now with the increasing number of juveniles carrying weapons," Haydel told LEN. The weapons, he added, only serve to compound existing problems like drug trafficking and fights inside and outside New Orleans schools.

Although the department has ongoing programs like Drug Awareness Resistance Education (DARE) and Officer Friendly, the PALS program "is the first direct involvement with the schools" that will "act as the liaison between the department and the school board in an effort to facilitate quicker responses to calls for service, and identify certain schools with particular problems and certain individuals within the schools causing the problems," Haydel said.

Haydel pointed out that most students caught with weapons — mostly knives — are carrying them for self-defense.

"One of the problems a lot of the schools are having is juveniles coming from other schools and creating problems for the students as they're released from schools in the afternoon," Haydel said, adding that the squad will also explore whether outsiders are coming to school neighborhoods to cause problems.

While noting that guns in the schools are not an everyday occurrence as they are in some cities like New York, Haydel said the pistols have been confiscated from students.

"But that's part of why this unit was formed because the situation has gotten to the point where it needs to be addressed in an overt way and some direct communication needs to be established between the students and the police and the administrator. And that's what we're hoping to do," Haydel said.

Haydel's unit, which includes officers Pauline Willoughby and Gary LeRouge and which is administered from the department's Field Operations Bureau, is working out of a school board office. The officers were chosen "as role models," Haydel said. All of them have children, and Haydel has worked in the department's child abuse unit. Initially, he said, the unit will try to identify the schools with the most urgent problems and put together lectures and presentations to be taken to the schools this year.

They won't be going undercover to spot problems inside the schools, but they will be working in conjunction with School Board security teams. PALS will inform

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Lunch-cost deductions win court OK

The U.S. Supreme Court has upheld a lower court ruling that allows Minnesota state troopers to deduct from their Federal income taxes the costs of lunches purchased while on duty — a ruling that the Government says will produce a wave of litigation on future claims that will have to be resolved on a case-by-case basis.

Without comment, the Court rejected the Federal Government's appeal of *U.S. v. Christey* and refused to overturn a decision of the U.S. Court of Appeals for the Eighth Circuit. That decision, the Government insisted, was in conflict with previous rulings, including a 1977 Supreme Court decision, based on another part of the tax law, that prevented New Jersey state troopers from deducting their on-duty expenses.

Two Minnesota troopers had deducted nearly \$2,000 during the tax years 1981 and 1982, arguing that they were entitled to the deductions because of numerous restrictions on eating while on duty. One restriction required them to eat in roadside restaurants.

The Government said the new decision "opens the door to the deduction of expenses not authorized by Congress."

Reinstatement of fired Houston cops means "system works," union boss says

Nineteen of 30 Houston police officers fired since September 1985 for such offenses as theft and beating prisoners have been reinstated as a result of arbitrators' rulings — a development that the head of the police union says is a sign that the arbitration process is a success.

Mark Clark, president of the Houston Police Officers Association, said the reinstatements show that the city has a "very, very tough time meeting the burden of proof" required to make firings stick.

"Arbitrators are not subjective in their findings," Clark said. He added that often officers are unfairly accused of wrongdoing, and the arbitration process gives them "a chance to face their accuser and rebut whatever testimony's done."

When an officer is accused of beating a prisoner, Clark said,

"what is found of a lot of times is that they didn't beat anybody and the force they used was necessary, and that it was the Chief's interpretation that they should be fired." Clark noted that Police Chief Lee P. Brown may choose to fire an officer despite recommendations against such action by assistant or deputy chiefs.

"These people were accused of these offenses and ultimately, once the facts were brought out in the court, it was found that that was not the case at all. While we enjoy generally a good relationship [with the police administration] most of the time, there are times when we are in disagreement," Clark said.

In one successfully arbitrated case, Clark said a sergeant working a second job had taken lettuce that was going to be discarded and "didn't technically ask the

owner for permission to take it."

"The owner said he didn't give him permission, but it was fine to him if he takes [the lettuce]. The Chief fired him over \$9 worth of lettuce and the owner of the business came and testified on his behalf," Clark said.

"So that's exactly why the arbitrator put him back to work," he added.

"The bottom line is that [some officers] were unjustly fired and an independent party that had nothing to do with the labor group or the [police] administration listened to the facts and yielded their decision," Clark said. "Even if we don't agree with the arbitrator's decision, the fact is that's the process and we're satisfied with that process."

A Houston Police Department spokesman declined to comment on the reinstatements because some cases are still pending.

NYS crime labs confront fear of AIDS

Some crime laboratory personnel in New York State are refusing to examine blood samples taken from crime victims found to be infected with AIDS or hepatitis viruses, and officials fear the refusals could result in charges being dismissed against defendants on trial for murder or other offenses.

Personnel at New York State Police lab facilities in Albany, Olean, Binghamton and Newburgh have refused to examine simple blood samples when the victim is found to be infected with human immunodeficiency virus (HIV) or other dangerous blood-borne viruses, the Associated Press reported recently.

Their concern over exposure to contagions notwithstanding, a

murder case in Dutchess County suggests that their refusal to handle the blood samples may result in crucial evidence not being admitted into evidence at trial — and possibly the dismissal of charges against the defendant.

Blood, semen and saliva samples taken from murder victim John Yacono of Fishkill, N.Y., had to be sent to the FBI's crime laboratory in Washington, D.C., for analysis last summer because of the state technicians' "just-say-no" stance. But with less than a week before the Feb. 21 start of the trial of Gavin Daniels, one of two men indicted in Yacono's murder, Dutchess County authorities still had not received the results of the FBI's analysis.

"What the guy at the [FBI] lab told me was that if they had taken the evidence chronologically, they wouldn't have gotten to it until August," said Howard Lewis, senior assistant Dutchess County attorney. "But because of the urgency here, they took it out of order."

Lewis said that the evidence is crucial in the county's case against Daniels, who is accused of strangling Yacono, 59, with a telephone cord in July 1988 in a Fishkill hotel room. The Dutchess County District Attorney's Office will contend that Yacono, a perfume salesman, was killed in a robbery scheme.

Lewis said samples taken from Yacono's body will show that the victim had sex with Daniels and

another man originally charged in the case, Josef Kirk Fischel, 20. While Lewis said the sex issue is moot and that he has enough evidence to convict Daniels of second-degree murder, Fischel's attorney filed papers early in February contending that the charges against his client should be dropped because the evidence had not been returned from the FBI lab.

However, Judge Judith Hilary ruled shortly after the motion was filed that Fischel was mentally unfit to stand trial and he was remanded to the Mid-Hudson Psychiatric Center.

The case illustrates what could happen when lab technicians refuse to analyze biological

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People and Places

Rotten to the corps

Is it time to play "Taps" for Chicago's venerated Drum and Bugle Corps, made up largely of musically inclined police officers?

It would seem so. Police Supt. LeRoy Martin is apparently of the belief that disbanding the 57-year-old fixture of Chicago parades will help the department's fight against crime by freeing up officers for street patrols and generating an annual savings of \$216,000.

The idea has been less than well received by Chicago's citizens, especially those who attend the scores of parades — celebrating everything from St. Patrick's Day to Von Steuben and Polish Independence days to "Say No to Drugs" events — that make up part of the civic landscape in the Windy City.

"I am shocked and horrified!" 93-year-old Dr. Marjorie Stewart Joyner told the Chicago Tribune, after being informed of the band's possible demise. Joyner is president of Chicago Defender Charities, which sponsors the South Side's Bud Billiken Day Parade — traditionally led by the police band.

"They have been a joy to the poor, the handicapped and the disabled," Joyner said. "Community groups come and go, but the police are there."

"How do you put a price tag on the public relations to the city?" asked Dennis McKenna, a patrol officer who plays marching bells for the group.

Although the band is not an official unit of the Police Department, most of its 54 members are sworn or civilian police personnel. The band was formed as part of American Legion Post 207, and most of its members are war veterans. It's mostly white and male, but includes a husband-and-wife team, two brothers, as well as Hispanic, Asian and black members.

The group pays for its own instruments, uniforms, hats, shields, transportation and cleaning bills.

So where is the savings to the city if the band is dismantled? Members are allowed to practice four hours twice every month and for that time, they receive compensatory time on an hour-by-hour basis. Also, when a member

performs in a parade — almost always during a holiday — he gets eight hours of comp time if he would have had the day off.

If the officer was scheduled to work during a performance day, he would receive only his normal pay — not the time-and-a-half holiday pay he would otherwise receive for working a normal shift.

The city calculates its projected \$216,000 savings on the basis of 1,400 man-hours of comp time.

The band could continue to serenade Chicago's paradegoers if its members could schedule their days off to coincide with parade events, and if they did not mind having their comp-time benefit taken away. Loss of comp-time benefits might discourage potential new members from joining the ensemble, members say.

"There's an impression that this is all that we do. That's wrong," Police Officer Giachino Donatello told the Tribune.

But there's no mistaking the delight the band gives to its listeners — and its members, who find the band a pleasant change from the vilification that often comes with life in the police trenches.

"One reason we're in the band is that, on the job, we always see the bad part of people," said Sgt. Ken Januszyk, who is the group's musical director. "Here, we see smiles. It's one time when they like to see us around."

Look out below!

Most people are familiar with the expression "a hail of bullets," but a "downpour of firearms"? Not likely, at least until now, thanks to a nervous Colombian living in New York, who might want to think twice the next time he decides to look out his front window.

According to New York City police officials involved in a Jan. 21 raid that led to the biggest heroin haul in U.S. history, the unidentified man peered out his third-floor apartment window early in the morning, only to see members of the NYPD/FBI Joint Organized Crime Task Force surrounding his building with guns drawn.

They were poised to arrest suspects in the \$1-billion heroin

bust and were preparing to enter the building, which served as a warehouse for scores of tires whose rims were filled with at least 800 pounds of Asian heroin.

But the presence of the narcotics unnerved the Colombian — he thought they were coming for him and began lobbing his cache of illegal firearms out the window.

The man was apprehended and charged with criminal possession of dangerous weapons. Police sources told LEN he was not a part of the heroin-importing conspiracy that agents in "Operation White Mare" were targeting.

"It was just a coincidence," said Chief Francis C. Hall, head of the NYPD Narcotics Division.

No drugs were found in the apartment and no one on the ground was injured by the falling weapons, said Sgt. Raymond Karczewski of the Joint Organized Crime Task Force.

"It was just one of those things where if he would have kept his window closed and minded his own business, he would have still been in business," Karczewski said.

Debugging the system

A retired senior FBI agent has been named to head an investigation into a clandestine Cincinnati police squad that allegedly installed over 1,000 illegal wiretaps to gather surveillance on prominent citizens, including business executives, judges and politicians from 1968 to 1984.

According to the Cleveland Plain Dealer, John R. Baber, 57, who formerly served as assistant special agent in charge at the FBI's Chicago field office, will be in charge of probing allegations that the Cincinnati Police Department's Intelligence Unit — a secretive surveillance-gathering unit set up in 1968 at the height of antiwar activism — installed scores of illegal wiretaps to spy on prominent Cincinnatians.

"He's going to get to the crux of what happened, if anything," said Cincinnati Solicitor Richard A. Castellini. "This is not going to be an easy investigation. Some of the allegations go back to the late 1960's."

Baber, who currently heads the Chicago office of Business Risks International, a private detective firm with 22 branches in the United States and London, will not have subpoena powers, but city officials have instructed all employees to cooperate, and Baber will have complete access to all police files and reports.

Two former telephone repairmen for Cincinnati Bell have already said they installed 1,200 wiretaps between 1972 and 1984 at the behest of local police and FBI agents. Several prominent Cincinnati residents were reportedly among the targets, including Proctor & Gamble Chief

Executive Officer John Smale; U.S. Senator Howard M. Metzenbaum; billionaire Carl Lindner; and former Cincinnati Reds baseball team owner Bill DeWitt.

A Federal grand jury has been looking into the allegations for the past 20 months, the Plain Dealer reported.

During his tenure with the FBI in Chicago, Baber supervised Operation Greylord, the early 1980's undercover probe of judicial corruption that resulted in over 90 convictions, including several judges. He retired from the FBI in 1983.

Cincinnati City Manager Scott Johnson said Baber was hired to lead the investigation because he has no ties with local police or FBI agents.

ing the installation of Atlanta's 911 emergency system as well as coordinating security and communications during last year's Democratic National Convention.

He reportedly did not want to be moved but said "as a professional police officer, I believe that duty is higher than any personal concern I might have."

Bell is also very popular with the residents of Zone 3, which includes a high-crime section of southeast Atlanta, and several community meetings were held to voice opposition to his transfer, according to Councilman Dozier Smith, an avid Bell supporter. Some critics of his transfer say the new post will not give him the stature that a tough commander of nearly 100 officers deserves.

Some city officials disagree, however, and maintain that the command of the Red Dog unit is a high-profile post that will allow Bell maximum exposure as a forceful street cop.

"I don't see why anybody is complaining. He's not assigned to a desk. He's assigned to the streets," said Shirley C. Franklin, Atlanta's chief administrative officer.

Smith told LEN that Bell was "doing a good job" and that community residents had come to like and respect him. He said the transfer disrupts the "good rapport" the police have developed with the community.

Smith, a 12-year Council veteran, said he wrote strongly-worded letters of protest to Napper and Mayor Andrew Young, and that those letters were never acknowledged.

With the furor having subsided for now, Smith said he thinks revenge could come in this fall's elections, when Atlanta could have a new mayor who will make changes in the Public Safety Department.

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What They Are Saying:

"No arrest, conviction or piece of evidence can outweigh the value of human life."

From a special Los Angeles Police Department order issued Feb. 3 in the wake of criticism of an elite undercover unit's actions. (1:5)

How serious is it when evidence is botched?

By Joseph Welter

One of the most difficult skills to develop in police work is the ability to make decisions that, in hindsight, appear to be the right decisions. Courts often judge and sometimes second-guess an officer's judgment because the effect of a wrong decision could lead to a violation of due-process rights. However, there must be an allowable margin of error for a police officer to perform his duties effectively.

Striking a blow for police decision-making, a divided Supreme Court has now ruled that the negligent destruction of evidence by a police officer does not constitute a violation of due process. In a 6-to-3 decision, the Court refused to overturn a conviction where a crucial piece of evidence was not properly preserved.

Facts of the Case

In 1983, Larry Youngblood abducted a 10-year-old boy from a carnival, took him to a house and sexually assaulted him. After the attack the boy was taken to a hospital where several tests were performed on the boy using a sexual assault kit. The test results were carefully preserved by both the doctors and the police.

However, the police failed to refrigerate the boy's underwear and t-shirt, which contained semen stains. It was not until 1985 that the underwear and t-shirt were examined. Neither the clothing nor the test results from the sexual assault kit conclusively connected Youngblood with the crime. Nevertheless, Youngblood was convicted on the basis of other evidence, including identification by the boy. On appeal, Youngblood argued that if the boy's clothing had been properly preserved, it may have exonerated him.

Access to Evidence

In three separate opinions, the Court strongly disagreed on when the destruction of evidence constitutes a violation of due process rights. Chief Justice Rehnquist, joined by Justices Scalia, White, O'Connor and Kennedy, focused on the good-faith efforts of the police officers in preserving the evidence. As Rehnquist pointed out, it is unfair to impose "on the police an undifferentiated and absolute duty to retain and to preserve all material that might be of conceivable evidentiary significance...." A good-faith standard, he said, limits the police officer's duty to preserve

evidence and protects the defendant in cases where "the police themselves by their conduct indicate that the evidence could form a basis for exonerating the defendant." Therefore, if a police officer is merely negligent in failing to preserve evidence, there is no due process violation if he was acting in good faith. However, if the officer maliciously destroys the evidence, there is a presumption that the evidence would have exonerated the defendant, in this case Youngblood.

In an effort to balance the burden on police and the fairness to Youngblood, the Court established a standard but failed to articulate effective guidelines by which to apply it. While attempting to solve one problem, the Court leaves open several others, such as: What constitutes "bad faith" other than malice? What if a police officer's conduct amounts to gross neglect or recklessness? Will police officers become more lethargic in preserving evidence as a result of this ruling? And, should laziness constitute bad faith? Where clarification and simplicity were desperately needed, the Court has managed to preserve uncertainty.

Furthermore, the good-faith

standard can lead to unjust results in a situation where the officer was merely negligent but the evidence destroyed is crucial to the defense of the accused. Although the majority would say there has been no violation of due process, it would seem odd to say that the defendant has received a fair trial without access to crucial evidence.

Basic Fairness, Normal Practice

Recognizing these problems, the other four Justices rejected the good-faith standard. Justice Stevens, voting with the majority but writing a separate concurring opinion, opted for a "fundamentally unfair" standard. He argued that the state had a great interest in preserving the evidence, that it was unlikely that the state's omission prejudiced the defendant, and that the evidence probably would not have exonerated the defendant. Stevens upheld the conviction, he noted, because Youngblood's trial was not "fundamentally unfair."

The benefit of Stevens' approach is that it shifts the focus from the police officer's action to the fairness of the trial. This makes sense in two respects: It eliminates the uncertainty from the police point of view, and it places a proper due-process emphasis on whether the defendant received a fair trial. Despite these advantages, however, Stevens' approach also lacks guidance and is subject to manipulation.

Justices Blackmun, Brennan and Marshall, meanwhile, adopted an approach similar to Stevens' but took the analysis a step further by articulating a more detailed test. Relying on *California v. Trombetta*, 467 U.S. 479 (1984), Justice Blackmun wrote that the first determination must be whether the destruction of the evidence was "in good faith and in accordance with normal [police] practice." Blackmun criticizes the majority for ignor-

ing the second part of this standard, arguing that it is not in accordance with normal police practice to negligently handle evidence. With that as underpinning, the dissenters would reverse Youngblood's conviction.

Even if the officers acted in good faith and in accordance with the normal practices of their profession, Blackmun states that the "constitutional materiality" of the evidence itself must be considered. "[I]t makes no sense to ignore the fact that a defendant has been denied a fair trial because the State allowed evidence that was material to the defense to deteriorate beyond the point of usefulness, simply because the police were inept rather than malicious," Blackmun wrote in dissent.

In determining the materiality of the evidence, Blackmun wrote, the Court should consider: the type of evidence (it must be relevant and immutable characteristics of the defendant which can be proved by testing); the possibility that the evidence might prove independently exculpatory; any other evidence going to the same point; and the burden on the police officers in preserving the evidence. The dissenters' approach, it would appear, is the only one that considers both the protection of the rights of criminal defendants and the burden placed on police officers in preserving evidence.

Although the current state of the law stresses the good-faith standard, it is conceivable that the next case before the Supreme Court will be one in which the police acted in good faith but the destruction of the evidence is so crucial to the defendant that to uphold the conviction would be blatantly unfair. In that situation, look for the majority to refine its approach by incorporating the fairness factor.

Arizona v. Youngblood, 109 S.Ct. 333 (1988).

Police efforts in Houston get a helping hand from bus drivers

What vehicles log more miles on big-city streets than police cars? City buses, of course. So why not have bus drivers serve as



Burden's Beat

Ordway P. Burden

eyes and ears for the police and other emergency services and also function as "mobile telephones" for citizens seeking to report emergencies?

Why not indeed? In Houston, they do. Houston's buses were already equipped with two-way radios (as they are in many cities, primarily to report breakdowns and keep track of the fleet), so it was easy to turn them into roving reporters when the Houston Metropolitan Transit Authority decided to do it last July. Now the operators of Houston's 750 buses and other transit employees are asked to do three things: first, report on anything they see that requires action by the police, fire department, or rescue squads; second, stop when they are flagged down by a citizen wishing to report a crime or other emergency; and third, offer their buses as "safe havens" for people who feel threatened on the streets.

"It's been going real well," said Metro Transit Police Inspector Ron Willis. "We don't have up-to-date figures, but in the first three

months we documented 53 incidents that we handled and there were many more that weren't documented. We've had everything from reports of major accidents to apprehension of some criminal suspects to lost children."

The bus operators are told to radio the transit police. Said Willis, "Most of the reports aren't transit-related, so our dispatcher forwards them to the city police or fire department." The majority of the calls have come from bus operators and other transit employees who spotted a crime or emergency themselves, with lesser numbers from citizens who were "using the bus as a mobile telephone," Willis said. In a few cases, citizens who felt threatened flagged down a bus as a safe haven. In a recent incident, a citizen who got caught in the middle of a gang fight jumped aboard a bus to escape.

Houston's bus operators do not go beyond radioing the transit police. Tom Lambert, the transit police chief, pointed out, "Metro operators are not trained to intervene in a crime in progress or take action. But because of the large number of buses and Metro vehicles on the street, there is a great opportunity to use the two-way radios to report crimes or emergencies and get help on the scene faster."

By and large, the bus drivers have been cooperative. "We probably have a couple thousand bus operators," Inspector Willis said.

"and, as with any large group, you have those that enthusiastically embrace programs, you have those that can take it or leave it, and you have those who wish it would go away. We probably have many more that are interested than aren't."

One of the reasons the transit authority adopted the idea was that some drivers were already providing "safe havens" for people.

Continued on Page 13

Who says you can't have your cake and eat it too?

At the District of Columbia School of Law, students are doing more than spending endless hours debating the law—they are putting their knowledge to use in the DCSL Clinical Program. Working under the tutelage of experienced clinical practitioners, DCSL students are getting first-hand experience serving real clients in clinics offering training in landlord-tenant law, juvenile law and the law of entitlements. The DCSL experience takes students beyond their classroom ambitions to realize the satisfaction of using their skills in service to others. And they don't have to suffer through three years of pedagogical abstraction to do it.

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An ounce of prevention:

NYPD rolls out new undercover guidelines

With the shooting deaths of at least three undercover narcotics officers in the past year still fresh in the minds of police planners, the New York City Police Department has begun to implement revisions of safety policies to ensure the well-being of undercover agents.

Assistant Chief Francis Hall, commanding officer of the 1,430-member narcotics unit, concedes that there is no "fail-safe method" in narcotics enforcement" to ensure officer safety, but police policymakers hope the recommendations will help officers be more aware of potentially dangerous situations.

Most details of the new safety guidelines remain confidential so that drug dealers won't learn how to spot undercover investigators, but New York Newsday reported

in late January that they include:

- Putting rookies under the wing of more experienced undercover officers to observe how the veterans make dangerous drug buys;

- Making sure that officers attempting buys inside apartment buildings have been formally trained to deal with potentially dangerous scenarios that could occur inside;

- Reviewing the roles of officers taking part in a temporary undercover program who might participate in potentially risky drug-buying operations. The officers in the program are rotated from uniformed patrol to undercover in renewable 90-day stints to provide new faces in drug buys.

The recommendations come about after Hall's senior aides examined three recent deaths of

undercover officers. Rookie undercover officer Christopher Hoban, 26, was killed Oct. 18 in a Manhattan apartment building when three drug-dealing suspects allegedly pulled guns as Hoban's partner backed out of the apartment.

Officer Joseph Galapo, 30, who police officials say was an experienced investigator, was killed accidentally Aug. 16 by his partner, Sgt. William Martin, when Martin's gun misfired during a scuffle with one of four drug suspects the two undercover officers had detained. Last April, Sgt. John McCormick, a highly experienced supervisor, was killed during a narcotics unit raid on a Manhattan apartment. A pregnant woman suspected of dealing drugs allegedly pointed a revolver at McCormick — the first officer to enter the apart-

ment — and in the ensuing confusion of the raid, McCormick was felled by a bullet from another officer's gun.

Hall's staff looked for clues in the incidents that could prevent such deaths and injuries from reoccurring. In addition, they attempted to gauge the extent to which carelessness or inexperience was a factor in the deaths.

They also sought the input of a "cross-section" of undercover officers during two six-hour meetings, in which the officers shared their experiences and their suggestions — "some of which were appropriate," Hall said.

Hall said his staff learned that younger officers sometimes don't tell their supervisors when something is wrong. As an example, Hall told of one undercover of-

ficer who was operating in the neighborhood where he had grown up, but did not mention this crucial information to his supervisor.

While youth "is the name of the undercover game," Hall said, youth may not always be served.

"They are young cops; they're inhibited. Sometimes they don't tell you what they know until you ask," Hall said.

To this end, sergeants — most often the supervisors in control of undercover teams — are now given broad latitude to shelve an operation if the danger to officers is deemed too great.

"My policy is if any supervising officer at the scene of a narcotics operation doesn't like the environment for any reason, shoo it," Hall said.

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Sign of the times:

Virginia edges toward tighter gun controls

Continued from Page 1
felony convictions.

Police officials have between 24 and 36 hours to make the local background check. If the dealer is not contacted by law enforcement officials by the next business day, the sale can go through. After the sale is made, the gun dealer must send a copy of the purchase form to the State Police, who will check national records to see whether the purchaser has felony convictions in other states.

"So it's a double-check system. It's sort of like closing the barn door after the horse is out, but at

the same time, it means that law enforcement will know if the handgun has been sold to somebody who has a felony conviction — and can do something about it," Lautman said.

The law is even tougher on out-of-state purchasers, who are often drug dealers and other felons seeking to take advantage of Virginia's lax regulatory system. Under the new law, non-residents will have to apply for a permit and the police will have up to 10 days to make state and local background checks.

The system will more or less

pay for itself because fees — \$2 for Virginia residents and \$5 for out-of-state residents — will be added to the cost of the purchase price of the weapon.

"People who are buying guns ought to be the people that pay for the tax on the system, since it is a dangerous article that's being sold," Lautman said.

The National Rifle Association did not force a major battle against the legislation. In fact, Lautman observed, the legislation is significant in that the NRA admitted that background checks are not a violation of the Second

Amendment and conceded that assault weapons are definable.

The Virginia action, she said, shows that the NRA "is finally willing to admit that criminals do buy guns at gun dealers and there are ways to stop them. They said they did want to keep guns out of the wrong hands, which they used to say was impossible."

Charles H. Cunningham, an NRA spokesman, said the measure "will provide a good vehicle [to take] to the one-third of

the states that have a waiting period" for gun purchases "and try to get them to drop that" in favor of the instantaneous check.

Lautman, too, hopes that the legislation will serve as a model for other states — those with weak or nonexistent gun laws.

"I think that we may see other states, like Florida and Ohio, where there are very few controls, and enact something similar with maybe a longer waiting period," she said.

LAPD reaffirms "protection" role amid criticism of unit's activities

Continued from Page 1

Commander Booth said the newspaper's revelations had led to no changes in the SIS unit, because the commission did not feel compelled to make any.

"The Times painted such a Wild West type of picture of the unit that if any police department any place had a part of its organization that operated that way, we think that there would be heads rolling all over the place.

"It caused no changes at all in

our operating practices, simply because we don't do what the Times said was being done," Booth told LEN.

Booth said the article's allegations stemmed partly from a "misunderstanding" by the author, David Freed, and his editors "about what is involved in tailing a career criminal or someone who is suspected of committing crimes."

"They just demonstrated a very obvious misunderstanding

of what's involved in surveillance and what's needed in terms of the violation of the law before an arrest can be made," Booth added.

The Times said that fewer than one-fourth of the unit's surveillances in 1987 ended in arrests. That year, SIS officers made 36 arrests — an average of less than two per squad member — and cost taxpayers \$1 million in salaries and overtime.

The article also said that SIS detectives had killed 23 suspects and wounded 23 others since its formation in 1965.

Deputy Chief Edward Spurlock of the Washington, D.C., Metropolitan Police, who once headed a similar full-time surveillance effort called the Repeat Offender Project, is regarded as an expert covert tactician. He observed that units operating like SIS are "certainly not conducive to professionalism. They're conducive to abuse of our power and a needless endangerment of the community, just to make a case."

"My solution is you don't have to do either one of the two extremes. I like to reserve the right as a manager-tactician to let a crime go down under certain circumstances. But if the [suspects] were so violent that I was fearful they might shoot an innocent citizen, I wouldn't let it go down — even if I lost the case," Spurlock said.

Gun curbs sweeping U.S. in wake of Calif. massacre

The Jan. 17 rampage by a 24-year-old drifter who used his Chinese AK-47 assault rifle to massacre five Stockton, Calif., schoolchildren and wound scores of others, before killing himself, has sparked renewed interest around the country regarding controls or bans of military-style weapons, as well as other firearms.

Patrick Purdy's murderous spree struck a nerve in scores of cities and states where such proposals are now receiving serious attention. Acting quickly in the aftermath of the schoolyard tragedy, three California cities — Stockton, Los Angeles and Compton — banned weapons like the one used by Purdy.

The following is a roundup — by no means inclusive — of proposals that were known to LEN in time for this issue:

1 Rhode Island: State Rep. Patrick J. Kennedy, nephew of President John F. Kennedy and Sen. Robert F. Kennedy — both shot to death by gun-wielding assassins — has proposed legislation to establish a seven-day waiting period for the purchase of rifles, shotguns or pistols. A national waiting period failed in Congress last fall.

1 San Diego: Two City Council members say they will introduce an emergency measure banning the sale of semiautomatic assault rifles in the city.

1 Washington, D.C.: Los Angeles Police Chief Daryl Gates appears before a Senate Judiciary subcommittee to urge a national ban on assault rifles. Gates, an admitted opponent of most gun-control proposals, tells the committee:

"The police of America are pleading with you — my guys are pleading with you" to legislate a ban. The hearing focused on a bill by Sen. Howard M. Metzenbaum (D-Ohio) that would ban the sale of Soviet-made AK-47s, Israeli-made Uzis and other military-style, semiautomatic weapons and military-style shotguns capable of firing 12 blasts in three seconds. Presi-

dent Bush has said he will not support any efforts to ban the weapons outright.

1 New Orleans: Two City Council members propose a prohibition on the sale and possession of semiautomatic weapons.

1 Sacramento, Calif.: State lawmakers begin consideration of proposed state laws to prohibit the sale of semiautomatic weapons to any person who has been convicted of a violent crime or drug offenses. The legislation would require setting up toll-free numbers to allow gun dealers to request background checks on gun purchasers.

1 San Francisco: Mayor Art Agnos asks gun dealers to voluntarily sign a pledge not to sell military-style weapons in the city. He also sponsors a resolution adopted at a national mayors' conference in Washington, D.C., calling on Congress to ban the manufacture and importation of semiautomatic assault weapons.

1 Boston: The City Council weighs a proposal to ban sales and possession of assault weapons.

1 Gainesville, Fla.: State Rep. David Flagg proposes a ban on all automatic and some semiautomatic firearms.

1 Annapolis, Md.: Efforts to ban military assault weapons are expected to face well-organized gun lobbyists, still smarting from defeat in their attempt to overturn the state's tough handgun law. Currently, assault weapons can be bought over the counter without background checks or waiting periods. Some legislators support tighter laws governing the transfer of handguns between private citizens.

1 In Texas, meanwhile, there is said to be tremendous support for proposals that would allow citizens to carry concealed handguns to protect themselves. A bill requiring seven-day waiting periods for handgun purchases and another measure that would ban cheap handguns known as Saturday Night Specials are considered by many lawmakers to be dead in the water.

Continued from Page 3
the School Board as to whether it should ask for increased police patrols, some of which have already had an effect, Haydel said.

"We have been concentrating on certain schools and giving them added patrols in the afternoons when the kids are coming out and it's definitely having an effect. We're not seeing the number of incidents on a daily basis as we were seeing before," Haydel said.

More officers may be added to PALS if the need arises, said Haydel, who conceded that the unit's small size does limit its effectiveness.

"There are so many schools in

the city, approximately 150 public schools in the system, you have minor incidents at a lot of different schools at one time. Our unit is very small, so we're probably more help by getting on the phone and contacting someone who can respond as opposed to attempting to respond ourselves," Haydel said.

Haydel said he hopes his unit, through its planned presentations to students, can reduce misconceptions and bad feelings between students and police that he perceived during his two years as a police recruiter.

"Given the information, they tend to look at you in a different light and are really quite cooperative," Haydel said.

Aluminum targeted by thieves

Continued from Page 3
January. Houston officials reported the thefts of brass operating stems from 243 fire hydrants during November and December. Aluminum boats have reportedly been stolen in the Appleton, Wisc., area. Minneapolis authorities say thefts of metal worth \$111,000 were reported during 1988. And Connecticut state highway officials say 1,557 feet of metal railing was stolen from six highway overpasses from July to October. The worth of the railing was placed at \$77,000.

In Philadelphia, lawn furniture

and screen doors are fast falling prey to the John Dillingers of scrap metal. Several elderly residents of the Strawberry Mansion section say their porch chairs and lounges have been snatched by thieves eager to resell the tubular aluminum. A new screen door was ripped from its hinges one day after it was installed on the home of a South Philadelphia man.

Police there say salvage-yard operators have begun cooperating with enforcement efforts by refusing to buy doors and windows.

Scavengers aren't stopping at

homes or highways — in the eyes of thieves, recycling plants are looming like virtual Fort Knoxes of scrap metal. More than 25 percent of the 16 billion pounds of aluminum manufactured in the United States every year comes from recycled aluminum, and recycling centers in Chicago have reported thefts from collection boxes.

"If recycling is going to be viable in the City of Chicago, or anywhere, scavengers are going to have to be stopped," said Michele White, program developer for the Resource Center, a local recycling facility.

Forum

Other Voices

A sampling of editorial views on criminal-justice issues from the nation's newspapers.

Virginia's historic gun vote

"No one believed it would happen in Virginia this year — certainly not with the overwhelming support that developed in both houses of the Legislature as well as upstairs in the Governor's office — but the Old Dominion is about to enact a serious curb on indiscriminate, quickie gun sales. Emboldened by intensifying pleas from constituents and law enforcement officials for more protection, the lawmakers have agreed to a sensible check against stop-and-shop sales to criminals of military assault-type semi-automatic weapons and short, concealable handguns. As befits a genuine, worthwhile compromise, the measure is modest enough to have won endorsements of historically warring groups — and even a grudging 'we-are-not-opposed-to-it' response from the NRA's roving lobbyist. The Virginia measure also provides a perfectly good opportunity for George Bush to stop pussyfooting and come out on the side of Americans who are fed up with drugs-and-guns bloodshed. While Virginia's measure should not be an excuse for the weakening of more effective laws on the books in certain localities or in other states, it is a significant step. It would require gun dealers to call a toll-free number to see if in-state buyers have felony records. Perhaps more important — given the history of gangs from up and down the East Coast shopping for their weapons in Virginia — out-of-state residents would have to fill out a form that could take up to 10 days to clear. As Virginia Gov. Gerald L. Baliles said in pledging to sign the bill, 'Virginia should send a signal that says we will not supply criminals with the weapons of war.' Is there a second in Tallahassee? How about from the White House?"

— *The Washington Post*
Feb. 22, 1989

Wiretapping: Dangers of abuse are too great; state doesn't need this tool

"Among the anti-crime initiatives outlined by Gov. James Blanchard in his State of the State message last week is a proposal to permit wiretapping by state and local law enforcement agencies, under court supervision. Drug trafficking and the violence accompanying it afflict nearly every aspect of life in Michigan; the Governor's description of 'this cancer' is not overstated. Yet as attractive a tool as wiretapping may seem to fight crime and gather evidence for prosecution, it still does not justify the potentially huge invasion of privacy and infringement on other constitutional freedoms — not only for dope dealers, but law-abiding citizens as well — it inevitably entails. Authorizing electronic spying by police in the hope of catching drug dealers is similar to Mr. Blanchard's earlier proposal for 'sobriety checklanes' to nab drunken drivers — a vague, overly broad, quick-fix response to an undeniably serious problem, threatening the guilty and innocent alike. The Governor has a lot of good ideas to battle the twin scourges of drugs and crime in Michigan; they deserve enactment by the Legislature. Wiretapping isn't among them."

— *The Detroit Free Press*
Feb. 13, 1989

Anti-crime bill offers a fool's toughness

"The Georgia House of Representatives has an opportunity to commit a rare act of statesmanship simply by sitting on a proposed constitutional amendment that the Senate adopted in a spasm of law-and-order madness. The amendment would make the state's prison-crowding crisis even worse. A simple proposal to shorten the terms of parole board members from seven to four years was jumped on last week by senators clamoring to grandstand against crime. Before the frenzy subsided, amendments had been added to the bill that would lengthen many felony prison sentences and authorize the General Assembly to enact life sentences without parole for murder and abolish parole for convicted drug dealers. Calculations are necessarily imprecise in such matters, but it appears that it would cost taxpayers about \$1.5 billion over eight years to build the necessary prisons and house the prisoners created by the Senate's throw-away-the-key proposal. And the cost would buy no gain in public safety. Georgia already imposes longer sentences and imprisons a far higher percentage of its population than most states, guaranteeing itself not public order, but continued crime as the prisons return to streets felons with ruined job prospects and the criminal tutoring of prison lore. The state needs to lower, not raise, the number of felons in prison, reserving that last resort for the truly violent and incorrigible. We should be creating alternative and diversion programs for the rest. If prison terms could end crime, Georgia already would be a haven of tranquility. Georgia does not lag in toughness. It lags in smartness about crime — in doing the intelligent thing rather than the obvious and counterproductive."

— *The Atlanta Constitution*
Feb. 15, 1988

Break the chain of crime early

"Texas Lieut. Gov. Bill Hobby wants to arm the war-on-crime troops with a valuable new weapon — a comprehensive program to begin to break the chain of crime by improving education, health care and protective services for thousands of poor children. The Hobby plan is soundly conceived, carefully targeted and cost-effective. It ought to get enthusiastic support from the Legislature. The attack on crime at its roots is a necessary supplement to proposals for building another 11,000 prison beds. Texas must have sufficient cells to house today's horde of criminals, but it also needs to adopt long-range programs which have a chance of reducing the level of lawlessness in tomorrow's world. The war on crime cannot be won with a limited arsenal. More prisons, restitution centers and halfway houses are needed, but we must begin to provide programs which will help keep young people out of trouble in the first place."

— *The Dallas Times Herald*
Feb. 11, 1989

Hennessey:

Why we recruit women & minorities

By Michael Hennessey

The San Francisco Sheriff's Department recently conducted a recruitment drive for new deputy sheriffs. The results were a stunning success — both for the community and for the department.

The department's 450 sworn officers share law enforcement duties with the San Francisco Police Department, our primary role being the administration of a large county jail system. Approximately every two years we mount an intensive recruitment to create a new Civil Service hiring list.

The fact that the city's minority community is well represented throughout the department's ranks and on the new hiring list is no accident. Announcements are made in community newspapers, on flyers in San Francisco's many ethnically diverse neighborhoods, and through direct notification by mail. Candidates are contacted through broadcasts on community public affairs radio and TV programs, or receive a brochure at a local church. They are even handed recruitment materials by volunteer deputies at a neighborhood street fair.

The point is, we are a strong and visible presence in each of San Francisco's many minority communities — as we were in our 1982, 1984 and 1986 recruitment drives, and as we will be when we again

recruit two years from now.

The results of our long-term commitment to hiring women and minorities are immediately obvious. Currently, fully 60 percent of our total sworn staff of 450 are female and minority deputies. These men and women have also advanced in rank and are now captains, lieutenants and sergeants, supervising personnel in each of the department's six divisions.

Our efforts in San Francisco's gay community have also been a success story. The Sheriff's Department is proud to have gay deputies working as managers, supervisors and line officers. Many have passed their 10- and 15-year mark of continuous service.

It has also been my privilege to appoint Undersheriff Walter Thomas and Assistant Sheriff Edgar Flowers Jr., two of the state's highest ranking black law enforcement executives.

But why create a recruitment outreach program directed at the Bay Area's minority communities?

A recent survey of major law enforcement agencies across the nation showed they had an average of less than 25 percent women and minority officers in each

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Michael Hennessey is the Sheriff of San Francisco, Calif.

Vambery:

I'm a senior citizen; I am not a criminal

By Renate Vambery

It was a lazy summer-Sunday afternoon, and traffic was light. I was looking forward to a pot luck lunch and discussion with friends when, all of a sudden, I saw flashing lights in back of me. "The police," I told my friend in the passenger seat. I was apprehensive. "What does he want?" was my friend's question. "I don't know, but I'll find out." We waited for what seemed an eternity, sitting in my car, the police officer in his. Finally I got out of the car to ask why I had been stopped, only to be yelled at: "Get back into your car!"

"I want to find out why you stopped me . . ."

"I order you back into your car," was the response from the young officer in a loud and clear voice, to which I came back with, "I don't want to be ordered around." (I was under the mistaken impression that I had some rights.)

What followed really came as a big surprise and caused me to have flashbacks to Nazi Germany more than 50 years ago: "I can order you to do anything." Did I hear correctly?

"That's the way they used to talk to us under Hitler," I told my friend as I returned to the car. Again we waited and waited until the young officer appeared at the car window, accusing me of three

traffic violations: making an improper left turn (I stupidly admitted that I was, for a split second, over the center line, but mentioned that I corrected this immediately and brought my car into the proper lane); turning at the previous corner without the arrow signal (which I vehemently denied, since I know the corner well and remembered watching for the arrow), and not wearing a seat belt (which was also totally untrue and to which my friend could attest). Naturally I had to release the seat belt when I got out of the car.

I tried to convince the officer that people were waiting for us and we had lunch food in the car. He was, of course, not interested, but demanded my driver's license and again threatened to cite me for all three violations, apparently to show me who was "in control."

When the officer returned to his car and saw my age on the license, signalling "elderly lady," he probably told himself that I was easy prey and a good catch on a slow Sunday afternoon. The way he spoke to me and "lifted" my license made me feel like a criminal. At this point I

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Renate Vambery is a retired rehabilitation counselor, psychologist and occupational therapist from St. Louis, Mo.

Some police chiefs whose telephones were constantly "ringing off the hook" might think that all hell was breaking loose in the department. For Police Chief James K. Riggins of Kingston, N.Y., it's a sure sign that the kind of free and open community access he cherishes and encourages is working well. "It's my responsibility as police chief," he says, "to sit here and listen to what the community has to say to me, whether it be good, bad or indifferent."

Having some 71 sworn officers serving a population of about 25,000, Riggins clearly enjoys that one-to-one relationship with the community that is the mainstay of smaller American police departments — and is so often missing from big-city policing. But like the large cities, Kingston shares in the problems facing today's law enforcement profession, particularly drugs, gangs and guns. According to Riggins, drug dealers pressured out of New York City by intensified police efforts are simply driving 90 miles up the New York Thruway and setting up shop in motel rooms, housing projects and street corners of Kingston. With cooperation from the community, Riggins and his officers can pinpoint fairly readily where the trouble spots are, but, like so many police officials around the country, the frustration lies in the lack of Federal assistance that all too often ends up in the hands of larger cities, with little or nothing left over for

the smaller agencies that comprise the bulk of the American law enforcement landscape. The 1988 Anti-Drug Abuse Act, passed amid considerable ballyhoo and promises of greater drug-enforcement successes, offered "not one penny for Kingston," Riggins says. "Over and over again you hear people talking about the 'war on drugs.' It really outrages me, especially when it's coming from political people saying what a great job we're doing." In Kingston, he says, "We're getting absolutely nothing but lip service and empty promises."

So where does a small city turn for help? In Kingston, Riggins turned to the community, and the local Kiwanis Club responded in a way that both stunned and delighted town officials. Riggins personally addressed a Kiwanis meeting and went so far as to show Kiwanians the confiscated firearms that are now a fact of life in this upstate community. As a result of his talk, the Kiwanis Club donated \$50,000 to the Police Department to set up a two-member narcotics unit.

The close relationship between the Police Department and the community also played an important role in keeping the lid on in the midst of what could have turned into a serious racial situation along the lines of the infamous Towana Browley. A young black girl was murdered and found on a railroad track with "KKK"

carved on her thighs and signs of sexual abuse present. According to Riggins, news of the murder brought to town "three racial rabble-rousers" — namely attorneys C. Vernon Mason and Alton Maddox and the Rev. Al Sharpton, who served as advisers to Ms. Brawley throughout her claim of physical and sexual abuse at the hands of police officers. Thanks to Kingston's well-entrenched police-community relations posture, coupled with Riggins' practice of keeping black leaders apprised of the investigation "step by step," the community stood solidly behind the department, and at length a black male was arrested, convicted and sentenced for the murder. Although the "three stooges" — as Riggins calls them — left town unfulfilled, Kingston has apparently not seen the last of them — the white vagrant who allegedly found the body and sexually abused it is being represented by Mr. Maddox, of all people.

When it comes to community-oriented policing, Riggins is moving "very slowly and very subtly" — not so much for a lack of understanding on the part of the community, but because he believes the most resistance to be at the street officer level. The old "us vs. them" barrier that so often separates police from citizens has to be razed, he agrees, but "it has to come down brick by brick. The cop takes out a brick, and the community takes out a brick. That's the way we have to proceed."

"Over and over again you hear people talking about what a great job we're doing in the war on drugs. It seems to me that it's not clearly focused, especially when it comes to the smaller cities."

**James K.
Riggins**

Police Chief of Kingston, N.Y.

Law Enforcement News interview
by Marie Simonetti Rosen

LAW ENFORCEMENT NEWS: Every day, it seems, the news media portray the devastating impact of drugs in large American cities. How has the drug problem manifested itself in Kingston, a rural city of some 25,000 residents?

RIGGINS: Well, there's no question that drugs are causing the same devastation in the city of Kingston that they are in New York City or Los Angeles — on a much smaller scale, of course. But I think everyone has to realize that small cities, we have our problems too, and we need funding for various programs. We need a piece of the pie, some of the war chest. I'm talking about the city of Kingston, but I know that other cities are having problems, too.

LEN: Many large police departments are employing high intensity, high visibility tactics in the antidrug effort. What kind of tactics are used in your department of 71 sworn officers?

RIGGINS: We can probably use every tactic imaginable, because we do have a drug problem. We have the Jamaicans, and organized New York City transient drug dealers. They come up here and rent motel rooms or

sublet apartments in some of the ghetto neighborhoods, paying the people on a per diem basis. They sell the crack, then they go back to New York and resupply themselves and return to Kingston. We have to have street-crime units, we have to have planning and research and development units. We have to target the major suppliers and make decisions as far as priorities for investigation. Do we go after the people who are dealing on the street corners? Do we have the resources to plan for a major, long-term investigation against larger dealers? We don't only make arrests in Kingston for \$5 vials of crack — we've had up to a pound of cocaine in some arrests. There's a lot of dope out there, and believe it or not, it's in smaller cities, too.

LEN: What kinds of resources do you have to do all this?

RIGGINS: Well, we've been absolutely elated with the recent response of the community to help us out. I addressed the local Kiwanis Club on Feb. 2 on the drug situation in our city, pointing out that we have Jamaican drug lords, we have territorial battles and turf wars, we have a heroin problem and things of that nature. I also talked about the violence that is associated with our drug problem in Kingston — I showed them machine guns and handguns that have been confiscated from the streets of our city. Fifteen years ago, a handgun was hardly ever heard of as far as

being associated with a crime in the city of Kingston. If someone had a gun, he was a real bad guy. But today, it's not unusual for revolvers, pistols, and in one case an Uzi machine gun to show up when we execute search warrants in the crack neighborhoods. The Kiwanis people, of course, were stunned that this was happening in our small, nice, clean city of Kingston. This was something that a lot of the community would watch on TV at night, and little did they know that it was happening in Kingston — not just in the Bronx. As a result of that talk, the Kiwanis Club donated \$50,000 to our department to finance a two-man narcotics unit that would be conducting drug-related investigations on a full-time basis.

LEN: Are those two officers now in place?

RIGGINS: No, they're not. Hopefully they will be in place March 14 after the Board of Police Commissioners meets. We were without a budget in the city of Kingston until just last week, and while the budgetary process was going on there was a moratorium on hiring police officers, and city employees in general. Now the moratorium has been lifted and the funds are available. We are going to take two police officers from within our department, naturally, and assign them to this narcotics unit. I was unable to do that until I was able to ap-

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"I realized we had to have the pulse of our community if we were going to survive in policing. And to get that pulse you have to reach out to the community. I found the community there waiting for me to reach out to them."

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point two new officers to replace them.

Facing everyday concerns

LEN: Have you set up an agenda for these two narcotics officers yet?

RIGGINS: Well, you have to understand first of all that we're talking about two people who are going to be addressing this problem. Naturally their efforts are going to be supplemented by other personnel in the Police Department, and we have conducted other major investigations before. For example, last year we conducted a major investigation regarding cocaine trafficking in liquor establishments in Kingston. My phones were ringing off the hook. I had people stopping me in the supermarket, stopping me on my way out of church, asking me when we were going to do something about the cocaine trafficking in bars. So we initiated an investigation directly against 10 licensed premises in the city, using an undercover officer, and we did indeed find out that it was just as blatant as everyone told me it was. As a result, 23 people were arrested on various cocaine-related charges. So that type of problem did exist, and I'm not so sure that it doesn't exist again now.

But to get back to your question of what these guys will be doing, they will be addressing our everyday problems that we are confronted with regarding cocaine trafficking. We get telephone calls constantly. We have Neighborhood Watch programs in this city, and I'm trying to implement community-oriented policing in the city. In the process of reaching out to the community, I'm requesting that they be responsive and pass information along to us regarding any activity that they perceive to be drug-related. We get many, many calls every day asking when we're going to do something about a given problem. It's these types of things that these two people are going to be responding to. I also made it very clear to the Kiwanis and to other community members, including our political establishment, that these two officers are not going to set the world on fire in the city of Kingston. They are not going to stop drug trafficking here. They are only going to be addressing it on a consistent basis every day.

LEN: Do you think this funding from the Kiwanians will be continued in the future?

RIGGINS: I certainly hope so. The Kiwanis has indicated to me that they want the Kingston Police Department to leave the door open for a future grant in 1990. The Kiwanis Club has also initiated an effort which solicits the community in general. There was a press release issued by the Kiwanis Club recently, for example, asking that this situation be viewed as a major community problem, and that people in the community put their heads together to make any donations they're able to, through the Kiwanis Club. If the response is that good, then maybe this thing can be put in perpetuity. Even if it's not \$50,000, maybe the salary of one police officer could be covered on a regular basis in the future.

LEN: Could there be a danger that private-sector support might prompt the political leaders to hold back on tax-levy funds, sensing an opportunity for savings?

RIGGINS: I don't think so. I had put in for these police officers last July, and it was up in the air as far as whether the City Council was going to finance these two positions. It was still up in the air when I approached the Kiwanis Club, since we didn't have a budget in place. After the \$50,000 grant came down, people were asking me if the Council members felt embarrassed that they didn't come up with the funding, and we had to go through the community. I don't think that was the case. I appeared before the Finance Committee of the Common Council, and they were very enthusiastic — and as shocked and surprised as I was — that the community came up with \$50,000. That's a lot of money. But the committee and the Council in general treat our department very fairly, I think. They did what they were financially able to do, and they did talk about such things as, "What are we going to do next year? We're accepting this money to fund two positions in the Police Department budget. Do we lay these two police officers off next year if the \$50,000 is not there?" I certainly hope that that would not be the case, and the Council has done nothing to indicate to me that that would be the case. I'm fairly confident that they're going to see the results of what these two officers do, and they're certainly going to see the need for the officers to continue. And they're going to listen to the community. That's the most important thing.

tant. Back in 1980, before I went into the schools, I always met with the P.T.A. and the faculty at the school, and I talked about each and every one of the individual programs and the various topics that I would be speaking to the children about. Substance abuse has always been somewhat of a pet peeve. I used to work as a detective, and I did a lot of undercover work, a lot of narcotics work in this city. I had a firsthand view of what was going on here, and I really didn't like what I saw happening to our community.

But I'm getting ahead of myself. In the first school I went to, I spoke to the principal about the whole concept, and he was very apprehensive when I told him that I was going to be talking to fifth- and sixth-graders about drugs. "Drugs to fifth-graders? I don't know about that," he said. "I'm not so sure. This is not going to set well. I'm going to have to get permission from the school board, and you're going to have to talk to the supervisor of elementary education, put together lesson plans and objectives." I don't think they thought I was that prepared, but I was. I did have the lesson plans, I did have the objectives drawn up, and so forth. I went to the Board of Education, and fortunately the person I spoke to looked the program over and said, "This is great. You go back to that school, and I'll call the principal and see to it that you're allowed to do that program." I did, and subsequently we did every school, and we're still doing every school in the community. It gave us an opportunity to reach out to the community. We talked to the kids, the teachers and the parents. Back then my own kids were in elementary school, and my theme was "We care about you." I remember my own kids coming home and saying, "Hey dad, we care about you." That was my theme, and I meant it. I think it got across to the public that we were sincerely interested in reaching out to the community, to share our knowledge and our expertise with them, and to let them know how they could help us. I also did the local expositions, handing out pamphlets at a booth and so forth, but I found that that reinforced the fact that people were not used to talking to a cop. People would walk by with their kids and say, "See that guy there? If you step out of line, Johnny, he's going to kick your butt, or lock you up." And I used to stop people and say, "Please, don't tell your kid that. Your kid's going to grow up thinking I'm the boogeyman, and that's the last thing in the world that I want." Parents would kind of step back and think about it and say, "Jeez, you're right, officer. I never

Close to the clientele

LEN: This financial support from the Kiwanis Club would seem to speak to a certain closeness between the Police Department and the community...

RIGGINS: You're probably right, and we're very proud of the fact that our community did this. I'd like to think that it's because of the relationship that we as a department have established with our community over the past several years. Our department implemented a community relations/crime prevention unit back in 1980, and yours truly was the director of that program. It was at that time that I realized we had to have the pulse of our community if we were going to survive in any type of policing, be it narcotics enforcement or regular neighborhood policing. And to get that pulse you have to reach out to the community. I found that the community was there waiting for me to reach out to them, and I was very well received in trying to activate our com-

"These two officers are not going to set the world on fire and stop drug trafficking here. They are only going to be addressing it on a consistent basis every day."

munity in support of the Police Department, reintroducing the department to the community and vice versa. We were telling people that we needed their cooperation, and we needed their assistance — which is exactly what we do want. The police alone cannot solve the problems facing law enforcement today, I don't care if it's in Kingston or anyplace else in America.

LEN: When many departments set up a crime prevention or community relations unit, it's seen by some officers as a job that doesn't involve "real policing"...

RIGGINS: Absolutely.

LEN: What has happened in the past eight years to turn such perceptions around in Kingston, to make a transition from simple crime prevention to community-oriented policing?

RIGGINS: Back in 1980, I would like to think that our comprehensive approach was a significant factor in letting the relationship with the community take root here. It wasn't a situation where I was going out and demonstrating locks and alarms and those types of things. Our approach was comprehensive, with something for everyone. My main goal at that time was to establish a formal, in-service, juvenile crime prevention program, and we did that. The program brought us into our elementary schools, at the kindergarten through sixth-grade levels.

LEN: Did getting involved in the grade schools so early on produce any significant impact on juvenile behavior, perhaps in the same way that DARE-type programs are now trying to do?

RIGGINS: No question, and I think that was impor-

tant of it that way."

LEN: In light of the groundwork that was laid with the school programs, what kinds of plans do you now have for the department with regard to community-oriented policing?

RIGGINS: Right off the bat we have to find out what the public expects from us. We know what the fundamental responsibilities of a police department are, as far as providing the very traditional types of service. But I think our citizens expect more than that, and I think they're entitled to that. Our budget is not a piece of cake. We have a \$3.5-million budget in a city of our size, and that's a lot of money that people are paying for police services, so they're entitled to expect the best. To give the best service, I think we have to go out into the community, we have to activate the community and ask them: "What do you want? What's problematic in your neighborhood, and what is not? What can we as police officers do for you?" For example, in our business district a few months back we had a rash of 40 or 50 burglaries, all within about 8 to 10 weeks. Naturally the business community was a little upset with that, and rightfully so. So my phone started ringing with people asking me what's going on, what's being done, how come there aren't any arrests being made? The next thing you know, the Police Department was in the spotlight. I had citizens watching how long a police officer took to have breakfast in a diner, or how many police officers they saw walking a particular beat. The blame was almost shifting to us. I was asked to address a businessmen's meeting — the same group I had addressed back around 1980 when I first got into the community relations thing. I went to this meeting, and it turned out to be a repeat of eight years earlier. "What are the police doing? How come this is not being done?"

Interview: Kingston, N.Y., Chief Jim Riggins

It went on and on, and some of these people were downright abusive. When they got done, I told them, "This is a repeat performance of what happened here eight years ago." When I was there eight years before, it was because they were upset about parking tickets issued to their customers, and the fact that we were not policing each individual storefront. The point I made with them was that eight years earlier we solved the problem, and I hadn't heard from the uptown business district since that time. Now I'm hearing from them again because they have a problem. What I asked them was, "When will I be back again? Will it be eight years from now, or will you participate in an ongoing type of program with our department, so that we can maintain a dialogue?" — so that perhaps I can send a couple of officers or a steady beat man or introduce the neighborhood policing there. They sat back, a little bit surprised at that type of response, but as a result of that we've begun a dialogue with these people, and I intend to put a police officer on that particular beat who will work it on a steady basis. He will attend the businessmen's meetings, and he will get a pulse on that particular community to find out what we can do as a department for them. Perhaps we should have reached out to them, but they certainly weren't reaching out to us until they got robbed. Now we can talk about those basic, elementary types of things, like locks and alarms, that might have prevented their stores from being burglarized. So the fundamentals of crime prevention are ongoing, and we're using them now to support and reinforce the neighborhood policing concept, by putting that one officer there, and by having another one of our administrative officers attend the businessmen's meetings so that he can bring the feelings of that particular group back to me. Then it's up to me to say, "Fine. Let's do that, or let's do this," or whatever. That's really community policing, right from the book.

The sales pitch

LEN: The scenario you're describing seems to speak to how many parts of the community have abdicated any responsibility for helping with safety in their areas. Given that police themselves are sold on the community-oriented approach, what will you have to do to sell the community on the new concept, to get them to overcome any laziness that's developed over time? Will it take some type of community education to get them to realize that they just can't sit back and expect miracles from the Police Department?

RIGGINS: No question about it. But as far as the police being sold on this, I'm not so sure. I find the police officers to be a little bit apprehensive. We are easing into this, and I don't really think the whole department has a solid handle on the fact that this is community policing that the Chief is implementing, but he's doing it very slowly and very subtly. I'm doing that for a reason — to see what the reactions of the officers are going to be, without branding this thing with a formal title. If you change something in a police department, there's always some resistance. I didn't feel as though I wanted to go through the traditional route of implementing neighborhood policing — trying it on a scaled-down basis, trying it informally to see what the reaction of the community and the police officers is. What I found was that the cops were apprehensive about this. We implemented a mounted patrol this summer, because we had a lot of problems with a couple of neighborhoods in another business district, with people loitering, crack sales, prostitution, and things of that nature. Again, we had financial restraints, personnel restraints, and a lot of other things happening at the time. We had a very spectacular homicide that took place at the time, right on the heels of the [Tawana] Brawley case. A young black girl was murdered here and found on a railroad track with "KKK" carved on her thighs. Fortunately we made an arrest, but it was a mammoth investigation that mobilized the whole department.

LEN: Was it in fact a hate-related crime?

RIGGINS: Absolutely not. An arrest was made, a subject was convicted and recently sentenced to 25 years to life. It was a black male who was responsible for the murder.

LEN: When all this happened, was there racial tension

in the community?

RIGGINS: Absolutely. Right off the bat we got hit with the three stooges — [Alton] Maddox, [C. Vernon] Mason and [Rev. Al] Sharpton. When this hit the media, with the KKK and the racial implications and things of that nature, they were on this case like a new shirt. Sharpton came to town, sending out press releases and holding conferences, and I was accused of being in a racial cult of child molesters, and so forth. In fact, a vagrant had actually found the dead body first and sexually abused it. They did try to create community unrest, but I was proud as a peacock of our community. They stood solidly behind the Police Department, and they let us do our job — and I'm talking about the black community and the white community. I met with the black clergy and kept them apprised step by step as far as what we were doing. We circled our wagons as a community, and certainly with the help and cooperation of the Ulster County District Attorney's office, with our own professional resources, and with the faith that our community had in us, we solved that homicide. It could have blown up into a very ugly situation here, but we've always tried to maintain an open line of communications and a dialogue with the black community. I felt good that the community said, "Hogwash. We don't want this outside influence. Go on back home." District Attorney Mike Kavanagh called Mason, Maddox and Sharpton racial racketeers. I called them racial rabble-rousers — and to their faces. They left. They found out that the community was not sitting up here waiting for them to jump on

what a good job the cop is doing, too. Of course, that's not for the most part, but I think it's my responsibility as a police chief to sit here and listen to what the community has to say to me, whether it be good, bad or indifferent. That's important to me.

LEN: Of course, in very large jurisdictions, with thousands of police officers, getting to the police chief or commissioner is all but impossible for a member of the community...

RIGGINS: Ben Ward is not going to go out tomorrow and open up a storefront just because he reads this article and decides this is the thing to do. There are some conditions where you can do this, and obviously some conditions where you cannot. But in a small city such as Kingston, I think it's incumbent upon me to field those phone calls, to talk to the people and to find out what's going on. I started that in 1980 by going out into the community and asking for their help — and this goes back to your earlier question about the cops and the people accepting the community-policing concept.

LEN: It certainly seems that many chiefs are more amenable to the concept than they might have been 10 or 15 years ago, where law enforcement was perhaps at the peak of its isolation from the community...

RIGGINS: Agreed, and I think tradition is a factor with the officers as well as with the administrators and the community at large. The police always operated within

"I don't think the whole department has a solid handle on the fact that this is community policing that the Chief is implementing, but he's doing it very slowly and subtly."

this bandwagon and create racial unrest in our city. They did try to make this racial, but it's not over yet. The vagrant that abused the body is being represented by Mr. Maddox.

But I'm getting a little off the track, I think. I was in the middle of telling you about our mounted patrol, and as I saying, that was a part of our community policing, in response to a big problem that we had with loitering and prostitution and crack sales, not only on this one particular area of Broadway, but on some adjacent streets as well, two or three blocks into the residential neighborhoods. There was just no way that I could effectively have a patrolman do it. They wanted to see cops up there to do something about it, and rightfully so. So I implemented a mounted patrol unit that involves two police officers. I put the two horses up in that area, with one officer working days and the other working evenings. The visibility factor of these guys on horseback, the mobility that they have — these horses can walk 15, 20 miles a day and not bat an eyelash — you're never going to get that kind of coverage from a beat officer. These cops went out and did the job. They went into the neighborhoods, they introduced themselves to the people living in the community. There are a lot of decent people living in these neighborhoods that have been taken over by the crack trafficking, and these people felt good about hearing the "clip-clop" of that cop coming down the street. They had never seen a cop on the street before unless he was going by at 35 miles an hour with the air conditioner on and the windows rolled up. They knew these mounted officers on a first-name basis.

Access to the top

LEN: Several times you've mentioned the phrase "my phone starts ringing," which would suggest some rather direct access that the community has to you. Is that a conscious thing on your part, being so open?

RIGGINS: Absolutely. My door is open, and I meet with everyone. I never refuse a phone call. If someone wants to call me, I have two phones on my desk, and they're available whenever I'm in my office. It's important to me that I hear from the community. Not all these calls are on an adversarial basis, and not all of them are complaints. A lot of them are people calling up to say

that isolation in the community — "We know our job, don't tell us how to do it, and if you've got a problem you call us and we'll come and take care of it." That was pretty much the traditional way that a lot of policing was done. I think the public became used to that — "Don't call down there. If you call down there and say you saw this or saw that, they're going to say you're a pain in the butt or a nuisance." But that is not the image that I projected when I went out there in 1980 and told the community that they have a very important role to play. It's necessary for them to communicate with this department and to establish a dialogue. I want to know about the suspicious cars in the neighborhood. I want to know if they think there's a crack house next door or down the street, or if they overheard a conversation about Jimmy Jones selling cocaine. I want to know about it. If the community doesn't tell me, then how am I going to know about it? It's going to cost us thousands of hours in manpower to go out and investigate a case, just to find out one piece of information that a citizen who's a phone call away can provide. I want to know about it, and I want our patrol officers and our dispatchers to encourage this type of cooperation.

LEN: Are you getting it, for the most part, from the community?

RIGGINS: Absolutely, and they have been cooperating since 1980. Not only was it the school thing that set it off, but we also established the Neighborhood Watch programs in various neighborhoods in this city. I provided seminars for senior citizens and the service clubs, on a wide variety of police topics. As a result of that, I think the people were used to seeing me. They were hearing and seeing a different side of their Police Department, and they liked it — no question about it. They appreciated the fact that I was there, sharing with them something that they had already paid for with their tax dollars. And the return on their money was not some snippy dispatcher indicating that they were annoying the department with a call about a suspicious person. They were seeing something else, and my perception was that they wanted more of it, and I was more than willing to provide that.

LEN: How are the officers now taking to the idea of
Continued on Page 12

Riggins: "Where are the antidrug funds?"

Continued from Page 11
community-oriented policing?

RIGGINS: When we appointed and trained the officers and got the horses and put the mounted unit out in the neighborhoods, there was some apprehensiveness in the beginning — "Is Riggins crazy? We asked for police officers and he's sending guys up here on horses." Fortunately it has all worked out well. I was meeting with this neighborhood preservation group right in the area where the mounted guys patrol, and I told these guys I wanted them to attend the meeting. I also invited the lieutenant who is our Chief of Detectives. All three of them looked at me like I had two heads. They said: "That's your thing, Chief. You go talk to the people, not us. What are we going to do there?" I told the mounted guys: "This goes with the territory. You're going to get to know these people, and you're going to establish a dialogue with them. You're going to listen to their problems, and you're going to do everything you can to solve those problems." So the detective lieutenant says: "Well, Chief, what does that have to do with me? I'm not with the mounted patrol." And I told him: "Yes, but you do have a lot to do with the complaints that I get on prostitution, street drug sales and things of that nature that are investigated by detectives. I want these people to know who you are, too." And I told him that my two phones are always open, and I expect that his two phones will always be open as well. They turned out for the meeting, as apprehensive as they were, but after the meeting their feedback was, "Hey, Chief, this was great!" The dialogue had already begun at that point. Now the Chief of Detectives gets phone calls from people, and it's a little more personal.

One brick at a time

LEN: Sort of like baptism by immersion — "We're going to throw you in the water, and you'll find out that it doesn't hurt."

RIGGINS: Absolutely. They were scared, especially one guy who protested that he wasn't a public speaker. "I'll do anything you tell me to do, Chief, but don't ever tell me to make a speech." But it wasn't that bad. They found out that the public wasn't there waiting to pounce on them. They saw that the public was there to develop a mutual understanding and to cooperate. The mounted guys have now accepted it, the guy I was going to put up in the business district has accepted it, and the community has accepted it. And as we expand this program, I don't think I'm going to have any problem at all with the police officers or with the community. But if I had to tell you where I thought I would get the most resistance to this, or where I thought the most training would be needed, I would say at the street cop level.

LEN: Breaking down the old "us vs. them" barrier?

RIGGINS: That barrier has to be destroyed, but I think it has to come down brick by brick. The cop takes out a brick, and the community takes out a brick. That's the way we have to proceed.

LEN: To handle such training, would your officers go through a state-run academy or do you train your own?

RIGGINS: We have a formal police academy that's been in place for four or five years now. The training curriculum is mandated, and we are actually facilitating the training for the state Division of Criminal Justice Services. It's our staff and faculty that do the training.

LEN: In a general sense, what kind of relationship do you have with state agencies like the Division of Criminal Justice Services?

RIGGINS: Outstanding. I certainly perceive it to be that way, and I'm sure that it would be a mutual feeling. We have responded to the needs of DCJS, and I think they have responded to our needs. I know that the state recognizes what we have done as far as training. When I went into the community relations unit, the very first thing I did after I got that sorted out was to go over to the training unit and formalize the training for the Kingston Police Department. Every Thursday is a training day for our department, and officers are assigned to an in-service training day. It takes us six

weeks to get each officer through, so when run these mandated days on a six-week cycle. That provides 48 hours of in-service training for our officers every year, and that's a significant amount. Not a lot of other departments can say that their officers attend the academy 48 hours a year after the basic requirements are met.

LEN: In what other respects does DCJS provide services to your department?

RIGGINS: Well, it was thanks to DCJS that I got involved in crime prevention. I received a flyer back in 1979 or 1980 that indicated that a crime-prevention school was coming up in Poughkeepsie, which is 20 minutes from here. It was a two-week school, and me being somewhat aggressive, I went to the Chief at the time and said I'd love to go to that school, that we need this in the community. I went there, and that's how I got my start in crime prevention, through DCJS.

The DCJS, of course, is responsible for all of the state-mandated training for police officers in New York, and they used to provide instructors for a lot of this training. Of course, they fell to the budget axe as well, and they have been cut back considerably. That's something that the state chiefs don't feel very well about either. We want to see that the state money go back into the Division of Criminal Justice Services, so that they can continue to provide the necessary training programs for officers of even the smallest departments. In this particular part of the state, we are not considered a small police department; we're one of the bigger ones up this way. But how about the two-, three- and ten-man departments, which make up the bulk of police forces across America? These are the people who have to have that outside influence of somebody bringing them that training, because they cannot afford to do it on their own. DCJS has to be there to provide the training, and unless the necessary funding goes to this particular bureau, police training is going to suffer substantially for the real small PD's across the state.

LEN: As you're no doubt aware, New York State recently decided to go its own way in terms of law enforcement accreditation, with some proponents arguing that many departments in the state could not afford the national accreditation program and might not meet all the standards that the national program spells out. Opponents,

sure that it's not going to happen to me right here. A certain amount of dollars might not be so much in a very affluent area, but that same amount in an area 50 miles away might make a big difference insofar as being available to that particular police department to pursue accreditation. Some people perceive this as a piece of paper, as an "attaboy," and wonder if it's worth the kind of dollars you're talking about. I think the accreditation people themselves, be they national or state, are going to have to get out to the communities, or the political entities in those areas are going to have to get out and let the community know how important accreditation is — that's it not a vehicle by which a police chief can just ride off into the sunset in a cloud of glory and glitz. It's necessary to provide the fundamental police services that are expected by the public.

Snubbing the little guys

LEN: It would seem a fair bet that 85 to 90 percent of the police departments around the country have fewer officers than yours does. Do you think small departments are getting their fair share of Federal assistance for crime control?

RIGGINS: Absolutely, emphatically no.

LEN: Is there any particular way these small departments can get some Federal attention?

RIGGINS: Hopefully there's a light at the end of this tunnel, but I can't see it yet. I've established a planning, research and development committee made up of various ranks of this department, and one of the things that they are doing is tracking legislation, finding out what grants are available, and developing strategic approaches to various problems. I tracked that H.R. 5210 [the Anti-Drug Abuse Act], which was finally passed by Congress, only to find out that there was no money available. The President boasted that we've done it with this new antidrug law. In fact it's vastly underfunded. Where are the funds? Not one penny came to Kingston. When you start looking at some of the figures, they're unrealistic. A billion dollars here, \$250 million there — a lot of money was supposed to be available through the Bureau of Justice Assistance, but where did this money go? It went to the departments that already had established programs, and they were simply re-funded

"Accreditation is not a vehicle by which a police chief can just ride into the sunset in a cloud of glory. It's necessary to provide the police services expected by the public."

meanwhile, insist that state accreditation could result in a watered-down effort that is vulnerable to political whims. How do you stand on the issue?

RIGGINS: Well, I'm not so concerned about the political influence. I think that in the very near future any agency calling itself a police department should be accredited. There's no question about that. Certainly we'll be pursuing that, but I'm not so sure on what level. I'm not sure that we'll be financially able to go through the national accreditation process, or if we are going to be put in a financial position where we'll have to pursue the state accreditation program. I think it's important, regardless of whether it's state or national. Certainly the national program is much more in depth, and it's certainly more costly as well.

LEN: But doesn't the whole idea of accreditation represent that kind of in-depth work on policies and procedures?

RIGGINS: Absolutely, but I think you have to consider the particular situation of the individual police department seeking accreditation. Are they able to afford the national accreditation, or are they not? In the event that they are not, perhaps the political entity of that particular community does not view this at the same level of importance as the police chief. The board or council might say, "Well, you can get the state accreditation for 20 percent of what the national accreditation would cost," and I suspect that that will happen. I'm not so

or refinanced. I'm certainly not trying to beat up on the Bureau of Justice Assistance; I think they're doing a marvelous job. But you can't expect these guys to build a house without mortar. Over and over again you hear people talking about the "war on drugs." It really outrages me, especially when it's coming from the political people saying what a great job we're doing in the war on drugs. I think Senator Biden summed it up well when he said we don't have any achievable goals or drug strategy here in America. These are strong words for a U.S. Senator when there's a President boasting what a great antidrug program we have, and what a great job we're doing. It just seems to me that the prioritizing is somewhat out of whack here. It's not clearly focused, especially when it comes back to the smaller cities.

LEN: Reduced levels of Federal assistance would seem to lead to increased competition among agencies, with larger departments bullying smaller ones out of the market...

RIGGINS: What competing? The funds aren't available in the first place. We contacted the Bureau of Justice Assistance in Washington and spoke with one of the administrators regarding the discretionary grant program. We called regarding the several grants that are clearly set forth in their booklet, and asked which ones we would qualify for. We were told, "None of them." Some of them went to cities over a million

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Recruiting women & minorities

Continued from Page 8
of their departments — far below actual female and minority representation in the general work force. The problem is obvious; its background and its solution are much more complex.

During the long histories of police and public safety agencies in this country, minorities and women have been traditionally denied equal employment opportunities. The reasons for this have varied, according to the false rationale of each historic era, but its basis was always rooted in cultural ignorance, sexism, or longstanding tradition. And, yes, racism.

Genuine attempts to break through these prejudices by law enforcement executives and elected officials were long in coming and are still very sluggish in most areas. The old myths hang on long after they've been disproven by experience and common sense, and even after strong

anti-discrimination laws have been placed in the books.

Certain groups "just can't do the job," we're told. They're "too weak," it's said; others are "too short" or "too lazy." Yet another group has "poor vision and can't see well enough" to perform the duties required. These and many other similarly spurious arguments have been used for decades to bar the hiring of women and minorities for police and fire safety jobs.

Those illogical prejudices were wrong then, they're even more odious in today's more enlightened and heterogeneous American society.

As we move beyond the traditions of discrimination, past the passage of overdue civil rights statutes, and into an era of what should be *de facto* employment opportunities for everyone, it becomes clear that the only way we can overcome the mistakes of the past is by implementing pro-

active policies today.

It is not enough to announce a commitment to equal opportunity: We must reach out and bring these opportunities directly to those who have been traditionally underrepresented. We must meet with community leaders and activists, work with minority media, go into the neighborhoods and turn words into action.

The results are inevitable and satisfying. In our case, we have a department with the highest female and minority representation of any major law enforcement agency in the nation. The department is also operating more efficiently than at any time in its history.

We recruit women and minority candidates because it is right. And we recruit women and minorities because it makes us a better, more effective Sheriff's Department. And that, after all is said and done, should be the goal of any good organization.

Houston bus drivers break new ground, serving as eyes & ears for city police

Continued from Page 5

ple they perceived as threatened, and for lost children. "We could see that there was a need to provide some guidance to the operators as to how deeply we wanted them to become involved in those situations," Willis said. "So now we tell them, 'Call us.' That takes away the reluctance they might have because they didn't want to bother us. We let them know we're here to be bothered."

The Metro Transit Authority is believed to be the only transit system in the country with such a program, although Vancouver, British Columbia, started one earlier. "There's been a lot of interest in our program," Willis said. "I've probably had a dozen inquiries from other cities and from the Governor's office in Ohio."

Houston's transit police have other innovative programs. One

is a crime prevention program for schools and community groups. Transit police go into schools with an entertaining program featuring a robot and junior police badges. "People don't think of city buses as carrying a lot of school children, but that's a mistake," Willis said. "So we put on crime prevention programs in the schools to do two things. First, to keep the children safe by telling them how to wait for a bus safely — the stranger awareness idea — and how to get on and off a bus safely. And second, the anti-vandalism idea. We try to make them feel a part of the system and get them on our side to reduce the number of rocks that are thrown at buses and other incidents of vandalism."

The transit authority also has an "adopt a shelter" plan by which residents, civic associations, schools and business are asked to keep a nearby bus shelter clean and attractive. Some even plant flowers around their shelter. In return, the authority pays special attention to "adopted" shelters. Shelters that are tended by citizens are given priority for repairs and trash removal.

In this corner, it looks as if the Houston Metro Transit Authority's public safety programs should be a model for other cities.

Ordway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 651 Colonial Blvd., Washington Township, NJ 07675.

Fear of AIDS grips NYS police labs, may jeopardize murder prosecution

Continued from Page 3

evidence, and it's a dilemma that State Police officials say might be occurring with increasing frequency.

Robert Horn, director of the State Police's crime lab in Albany, said officials of his agency have repeatedly asked the state to fund a \$3.5-million facility expressly for the evaluation of potentially infectious biological samples. But the requests have been turned down, and since New York state faces billion-dollar budget deficits in the next year or so, it doesn't appear that funds for such a facility will be forthcoming any time soon.

Horn said that the State Police

need a facility that has a sophisticated ventilation to allow harmful vapors and germs to be filtered out of the lab. Horn added that until the State Police's lab facilities are upgraded, the labs won't be able to take advantage of new DNA profiling technologies because none of the labs can currently accommodate the radioactive equipment needed to conduct DNA analysis.

State Police labs "desperately" need improvements so that technicians can routinely handle infectious bodily fluids safely and without fear, echoed Dr. Leo Dalcortivo, director of laboratories for Suffolk County. Dalcortivo and his staff are in the

process of moving into a new \$19-million dollar health and forensic lab that can process infectious materials and will allow technicians to put the new DNA identification process into practice.

The glaring inadequacies in state lab capabilities will continue to hinder law enforcement efforts as the AIDS crisis looms larger, Dalcortivo added.

"AIDS is a problem," he said. "Since the gay community has controlled itself and the spread of the disease, where is the leading group of AIDS-infected people? Drug-takers. And that is a segment of people that is prone to violence and committing crimes."

I am not a criminal

Continued from Page 8
became aware of how easy it was to be accused of a crime.

Again much time elapsed and I felt the need to move on since our friends were waiting for us and the food, as I had mentioned to the officer earlier. Again I got out of the car — carrying nothing, not even my purse — and asked if I could have my license back. "No," was the reply. "You can post bail tomorrow and get your license back, then go to court at the end of the month." Again I was ordered back to my car, while the officer apparently checked endlessly and deliberately with the computer. He was in no hurry. And, since I had had no moving violations in 40 years, the computer produced nothing.

Finally the officer returned to my car and handed me a ticket for the one violation to which I had admitted, making an improper left turn, but refused to give my license back.

At 7:30 the next morning, I decided to call the chief of police of the suburb to make an appointment with him. His first question was how I knew he was there so early in the morning. "I just decided to try, since I didn't sleep all night," I told him. I was referred to a community relations officer, who was much gentler and kinder than the officer I had encountered the day before. My friend and I met with the officer at 9:30 A.M. (I thought I might need a witness.)

I learned that, theoretically, I could have been arrested and placed in jail. (What? With all the real criminals roaming the neighborhood?) The officer explained that there was a law against getting out of the car when stopped by police — the rationale being that the person might try to attack with a

weapon. (Wouldn't that same person have the weapon on the car seat next to her, which might be potentially more dangerous for the police officer approaching the car?)

I told the community relations officer that I objected mostly to the way I was treated, the curt, rude manner in which the officer spoke to me when he made "the arrest." It was agreed that it could have been done in a firm, polite manner instead.

"It's my first citation for a moving violation in 40 years of driving," I told the officer. "Maybe you were lucky and didn't get caught," was his response. He couldn't give me credit for being a good driver.

"I still feel that I am being treated like a criminal. Do I look like one?"

"You know there's no profile for a criminal," he said.

By that time I knew I could not win with the police, so I pleaded guilty and paid the fine. I felt I would not have had much of a chance in court either.

A number of my friends, also senior citizens, have had similar experiences. We would like to be treated courteously. Age alone does not make people senile or difficult. Most senior citizens are responsible members of the community.

Can we really afford to have our police departments spend that much time and manpower on such trivial matters when real crime is rampant? (I figured on three to five man-hours for such a minor infraction, considering clerical and professional workers' time, computer utilization and all the bureaucratic necessities.) Should we not focus on the burglars, muggers, rapists and murderers? Am I a criminal?

CRIMINAL JUSTICE ETHICS

VOLUME 3 NUMBER 1

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A Ph.D. in criminal justice or a related field is required. The successful applicant will teach undergraduate and graduate courses in general criminal justice and corrections. Salary is competitive and based on experience. Excellent benefits are provided.

To apply, send resume, official transcripts and three letters of recommendation to: Personnel Services, Jacksonville State University, Jacksonville, AL 36265. Additional information can be obtained from Dean Tom Barker, (205) 231-5335. Applications close May 1, 1989. AA/EOE.

Chief of Police. Pompano Beach, Fla., a rapidly growing community of 75,000 permanent residents, is seeking a police chief to administer a department of 199 sworn officers and 107 civilian personnel, with an annual budget of \$14.3 million.

The applicant must be a proven leader and administrator. A degree in police administration or a related field, plus command experience with a major police agency, is desirable. Salary range for the position is \$44,839 to \$63,093, depending upon qualifications, and includes excellent fringe benefits.

To apply, send resume to: Janice Adams, Personnel Director, P.O. Drawer 1300, Pompano Beach, FL 33061. Applications must be received by the close of business on April 28, 1989.

Chief of Police. The City of Rutland, Vt., population 20,000, is seeking qualified applicants for the position of Chief of Police. The successful applicant will be responsible for the administra-

tion of a department with 53 employees (42 sworn officers), and an annual budget of approximately \$1.5 million.

Applicants must have the following qualifications: Graduation from an accredited college or university, and at least 10 years experience in law enforcement (an equivalent combination of training and experience may be substituted); administrative experience, and demonstrated leadership skills. Salary range is \$35,000 to \$40,000, plus excellent fringe benefits.

Do not send resume at this time. Request an application form and filing instructions by contacting: The Rutland City Police Commission, P.O. Box 6624, Rutland, VT 05701. Applications postmarked after April 30, 1989, will not be considered.

Police Planner. The Orlando, Fla., Police Department is seeking a

Senior Planner to perform professional, technical and supervisory work in developing long-range strategic plans related to the department's service, capital and human resource needs.

Applicants must possess a bachelor's degree in business or public administration, criminology, statistics, or a related field, plus four years' experience in research, management analysis, public administration or a related field. A master's degree and two years' experience is acceptable as a substitute. Strategic planning and/or police-related experience is preferred. Candidates will be required to pass a background check, which includes a polygraph exam.

The position will be filled by April 1, 1989. To apply, send resume to: City of Orlando, Employment Office, 440 South Boone Avenue, Orlando, FL 32801. EOE.

CHIEF OF POLICE Gainesville, Georgia

A progressive community of approximately 20,000 residents, 50 miles northeast of Atlanta, is seeking a professional police manager to head a department of some 75 sworn and 10 civilian employees. The City encompasses some 28 square miles and has approximately 450 employees operating under a Council-Manager form of government, and the Chief reports directly to the City Manager.

The candidates must have a minimum of 10 years experience as a practitioner in the principles of modern public and police administration, who has command experience, skilled in developing media and community relations programs, with strong organizational and management qualities and demonstrated interpersonal and leadership skills. The candidate must also be a team player and builder who prescribes to participative management and creative and innovative approaches to law enforcement techniques. Completion of a bachelor's degree in law enforcement, public administration or related field is preferred. Graduation from the FBI National Academy, Northwestern Traffic Institute or similar level of training is required. Any equivalent combination of education, training and experience is acceptable. The salary range is \$45,000 to \$55,000 depending on experience and qualifications. With a comprehensive fringe benefits and ICMA retirement package. Submit resume by April 30, 1989 to:

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LEN interview: Kingston, N.Y., Chief Jim Riggins

Continued from Page 12

population, or to existing programs that had previously been funded by Federal dollars, or things of that nature. We didn't qualify because we just weren't big enough.

LEN: It seems like they're extending an open invitation for drug problems to invade the medium-sized and smaller cities...

RIGGINS: I'm not so sure that I'd want to say that they're encouraging the drug trade. There's no question that these policies might have that kind of effect, though. Take New York City, for example. They certainly have a chaotic situation there, no question about it. They're out there with their TNT units, their strike forces and so forth, and they're making a lot of arrests and creating a lot of activity. But what about the people who leave New York City and drive 90 miles up the Thruway, stopping here in Kingston to set up business in motel rooms and on our street corners and in our housing projects? They came from the city, they're still here in New York State, and what are we getting up here? Absolutely nothing but lip service and empty promises.

LEN: Do you think there's hope?

RIGGINS: I do. President Bush now says that he's rethinking the situation, and he's going to make the resources available. But I hope that somewhere there is a line item for small cities. It's not just Kingston; I'm sure that there are hundreds of other police chiefs across America who could use that extra funding for that extra program that they feel is absolutely essential in their communities so that we can wage one small battle in this so-called war on drugs.

The Feds say they're looking to substitute asset-forfeiture money for discretionary grants. But how are you supposed to get that investigation going so you can go out and seize those assets in the first place? Let's face it: We're not going to go out and seize a million dollars in Kingston, so let's not kid ourselves. In New York City, they may seize \$40 million or \$50 million from drug dealers, but when you talk about the smaller cities, how are we going to go out and make that seizure in the first place so we can get the funding back? We have to have people to conduct these investigations, and those people cost money. All we're looking for is basic dollars to get this thing going. Then it's up to us. People talk about these task forces and say, "Let's bring in the State Police, or the FBI, or the DEA," but none of these organizations are going to come into the city of Kingston and consistently conduct drug investigations 365 days a year. They might come in and take down a major dealer who might be setting up shop in the area, which is what they should be doing and what they are doing, but they're not going to consistently conduct these investigations in the city.

The view from the top

LEN: Since you just became chief about a year ago, after a short time as acting chief, have you sorted out the difference in being chief from being part of "the ranks"?

RIGGINS: It's certainly a lot different than being in the ranks, no question about it. You see things here a lot differently than you do even when you're a deputy chief. There's a big difference when the buck stops here and you sit behind this desk. You are the accountability factor. I am responsible, and anything that happens is going to come back here one way or another, good, bad or otherwise. I don't dislike that. I certainly enjoy the challenge of it very much. If I didn't enjoy my job, I wouldn't be here. If you don't like being in police work, you have no business being here in the first place. But it's a big difference. I can recall being on patrol, or being a detective, and thinking: "Why are we doing this? Why is this happening? This is all a bunch of crap. We should be doing this that way." Now I can see why my predecessor made the decisions that he did. A lot of those decisions that he made over the years, naturally, I questioned from time to time, and I thought that perhaps I had a better answer. But believe me, that's not the case.

LEN: Having been through the ranks, and realizing that there may well be patrol officers who are now asking the same kinds of questions that you did years ago, are you more inclined to explain your decisions and actions to them, and welcome their feedback?

RIGGINS: Absolutely, and I try to provide them with every opportunity that I can to feed their thoughts back to me, either formally or informally. I encourage the sergeants to meet periodically with the patrolmen who are out there on the front lines, and take their pulse from time to time to find out what's ticking. We put in a suggestion box so if they don't want to do things formally, fine. They have this informal approach, so they know that they can communicate back to me. My door is open so they can come in any time they want to. I have an excellent relationship with the president of the P.B.A., and I'm a former head of the P.B.A. myself, so I can understand the position that he's in as well. I think coming up through the ranks was a great experience.

Upcoming Events

APRIL

16-18. **Street Survival '89.** Presented by Calibre Press. To be held in Anaheim, Calif. Fee: \$125 (all three days); \$95 (first two days only); \$65 (third day only).

17. **Legal Considerations in Testing for Substance Abuse/AIDS.** Presented by the Center for Criminal Justice, Case Western Reserve University. To be held in Columbus, Ohio. Fee: \$95.

17-19. **Occupant Kinematics & Injury Mechanics in Vehicle Crashes.** Presented by the Institute of Police Technology & Management. Fee: \$525.

17-19. **Supervision/Management of Drug Investigations.** Presented by the Narcotics Control Technical Assistance Program. To be held in Alexandria, Va. No fee.

17-19. **Special Problems in Police Internal Affairs.** Presented by the Institute of Police Technology & Management. To be held in Orlando, Fla. Fee: \$325.

17-19. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates Inc. To be held in Baltimore. Fee: \$495.

17-20. **Advanced Hostage Negotiation.** Presented by the Traffic Institute. Fee: \$450.

17-21. **Interviews & Interrogations.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$375.

17-21. **Audio/Video Sting Installations.** Presented by the National Intelligence Academy. Fee: \$650.

17-21. **Planning, Design & Construction of Police Facilities.** Presented by the International Association of Chiefs of Police. To be held in Denver. Fee: \$495 (IACP members); \$545 (non-members).

17-21. **dBase III for Law Enforcement.** Presented by the Institute of Police Technology & Management. Fee: \$575.

17-21. **Law Enforcement Fitness Instructor Certification.** Presented by the Traffic Institute. Fee: \$450.

17-21. **Technical Surveillance Countermeasures.** Presented by the National Intelligence Academy. Fee: \$650.

17-21. **Report Writing for Instructors.** Presented by Bruce T. Olson, Ph.D. To be held in Salinas, Calif. Fee: \$290.

17-28. **Crime Prevention Technology & Programming.** Presented by the National Crime Prevention Institute. Fee: \$580.

18. **Tactical Vehicle Stops.** Presented by the Criminal Justice Training & Education Center. Fee: \$350.

18-19. **Contemporary Terrorism.** Presented by Richard W. Kobetz & Associates Ltd. To be held in Las Vegas. Fee: \$350.

18-19. **Investigating Police Shootings.** Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$195.

18-20. **Police & the Media: A Survival Workshop.** Presented by Police Conference Services. To be held in West Palm Beach, Fla. Fee: \$375 (second person from same department).

19-21. **Using Microcomputers for Crime Analysis.** Presented by the National Criminal Justice Computer Laboratory & Training Center. To be held in Washington, D.C.

20-21. **Clandestine Drug Lab Investigations, Seizures & Prosecutions.** Presented by the National Sheriffs' Association. To be held in Chicago.

20-21. **Executive/VIP Protection.** Presented by Richard W. Kobetz & Associates Ltd. To be held in Las Vegas. Fee: \$350.

21. **Surveillance.** Presented by the Criminal Justice Training & Education Center. Fee: \$100.

23-25. **Street Survival '89.** Presented by Calibre Press. To be held in Fort Lauderdale, Fla. Fee: \$125 (all three days); \$95 (first two days only); \$65 (third day only).

24-26. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates Inc. To be held in Seattle. Fee: \$495.

24-26. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates Inc. To be held in Albuquerque, N.M. Fee: \$495.

24-26. **High Risk Personnel.** Presented by Executec International Corp.

24-27. **Executive & Dignitary Protection.** Presented by the International Association of Chiefs of Police. To be held in Orlando, Fla. Fee: \$475 (IACP members); \$525 (non-members).

24-28. **Basic Hostage Negotiation.** Presented by the Traffic Institute. Fee: \$450.

24-28. **Police Executive Development.** Presented by the Institute of Police Technology & Management. Fee: \$375.

24-28. **Locks & Locking Devices I.** Presented by the National Intelligence Academy. Fee: \$650.

24-28. **Investigation of Computer Fraud & White-Collar Crime.** Presented by the International Association of Chiefs of Police. To be held in Washington, D.C. Fee: \$450

(IACP members); \$500 (non-members).

24-28. **Investigation of Motorcycle Accidents.** Presented by the Institute of Police Technology & Management. To be held in Bellevue, Wash. Fee: \$375.

24-28. **Narcotica Conspiracy Investigations.** Presented by the Broward Sheriff's Office, Organized Crime Centre. To be held in Fort Lauderdale, Fla. Fee: \$300 (in state); \$350 (out of state).

24-May 5. **Advanced Traffic Accident Investigation.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$525.

25. **Interviewing in Child Abuse Cases.** Presented by the Criminal Justice Center Police Academy, Sam Houston State University. To be held in Huntsville, Tex. Fee: \$65.

25, 26, 28. **Advanced Accident Investigation.** Presented by the Criminal Justice Training & Education Center. Fee: \$750.

26-28. **Advanced Child Abuse Investigation.** Presented by the Criminal Justice Center Police Academy, Sam Houston State University. Fee: \$195.

27-28. **Burglary Investigation.** Presented by the Center for Criminal Justice, Case Western Reserve University. To be held in Cleveland, Ohio. Fee: \$150.

28. **Jail Suicide.** Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$95.

29. **Strategic Reaction Team Concepts.** Presented by Executec International Corp.

30. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates Inc. To be held in St. Louis. Fee: \$495.

31. **Street Survival '89.** Presented by Calibre Press. To be held in Tucson, Ariz. Fee: \$125 (all three days); \$95 (first two days only); \$65 (third day only).

32. **Court Security.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$325.

33. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates Inc. To be held in Clearwater, Fla. No fee.

34. **Hostage Negotiations for Law Enforcement.** Presented by the International Association of Chiefs of Police. To be held in Washington, D.C. Fee: \$450 (IACP members); \$500 (non-members).

35. **Practical Hostage Negotiations.** Presented by the Institute of Police Technology & Management. Fee: \$375.

36. **Planning & Managing Crime Prevention.** Presented by the National Crime Prevention Council in cooperation with the Bureau of Justice Assistance. To be held in Houston. No fee.

37. **Report Writing for Instructors.** Presented by Bruce T. Olson, Ph.D. To be held in Ventura, Calif. Fee: \$290.

38. **Composite Drawing for Law Enforcement.** Presented by the Institute of Police Technology & Management. Fee: \$425.

39. **Crimal Personality Profiling for Police Investigators.** Presented by the Traffic Institute. Fee: \$450.

40. **Tactical Techniques for Drug Enforcement.** Presented by the Institute of Police Technology & Management. Fee: \$475.

41. **Police Physical Fitness Trainer's Certification Course.** Presented by the International Association of Chiefs of Police. To be held in Dallas. Fee: \$475 (IACP members); \$525 (non-members).

42. **Introductory TEAM UP Database Management.** Presented by the Institute of Police Technology & Management. Fee: \$575.

43. **Supervision of Personnel.** Presented by the Center for Criminal Justice, Case Western Reserve University. To be held in Columbus, Ohio. Fee: \$250.

44. **Technical Surveillance I.** Presented by the National Intelligence Academy. Fee: \$650.

45. **Practical Homicide Investigation.** Presented by the Traffic Institute. Fee: \$450.

46. **Crime Prevention Technology & Programming.** Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$580.

47. **Traffic Accident Reconstruction.** Presented by the Institute of Police Technology & Management. Fee: \$595.

48. **Narcotics Investigation.** Presented by the Traffic Institute. Fee: \$450.

49. **Victimization: A Time for Hope Beyond Survival.** Presented by the Ohio Victims of Crime Program. To be held in Cincinnati. Fee: \$85.

50. **Law Enforcement Solper/Countersolper Development.** Presented by Executec International Corp.

51. **Everything You Always Wanted to Know About Becoming a Police Chief.** Presented by the International Association of Chiefs of Police. To be held in Washington, D.C. Fee: \$200 (IACP members); \$250 (non-members).

52. **Providing Protective Services.** Presented by Richard W. Kobetz & Associates Ltd. To be held in Winchester, Va. Fee: \$350.

53. **Managing Field Training Officer Program.** Presented by the Traffic Institute. Fee: \$275.

54. **Dispatching Police Calls for Service.** Presented by the Criminal Justice Training & Education Center. To be held in Toledo, Ohio. Fee: \$200.

55. **Data Security: Protecting Information from Disaster & Prying Eyes.** Presented by the National Criminal Justice Computer Laboratory & Training Center. To be held in Washington, D.C.

56. **First Annual National Conference.** Presented by the Canadian Organization for Victim Assistance. To be held in Calgary, Alberta. Fee: \$175 (Canadian).

57. **Bloodstain Evidence Workshop.** Presented by the Institute of Police Technology & Management. To be held in Nashville, Tenn. Fee: \$375.

58. **Video I - Introductory Surveillance Operations.** Presented by the National Intelligence Academy. Fee: \$650.

59. **Crime Scene Techniques Involving Surface Skeletons & Burled Bodies.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$375.

60. **Police Supervisor In-Service Training Institute.** Presented by Pennsylvania State University. To be held in University Park, Pa. Fee: \$350.

61. **Police Planning & Research: Basic Level.** Presented by the Criminal Justice Institute, St. Petersburg Junior College. To be held in St. Petersburg, Fla. Fee: \$325.

62. **Technical Accident Investigation.** Presented by the Traffic Institute. Fee: \$600.

63. **Advanced Traffic Accident Investigation.** Presented by the Institute of Police Technology & Management. To be held in Media, Pa. Fee: \$525.

64. **First-Line Supervision for Law Enforcement Personnel.** Presented by the Criminal Justice Training Center. To be held in Toledo, Ohio. Fee: \$1,000.

65. **The Kinetic Interview Technique I.** Presented by the Criminal Justice Center Police Academy, Sam Houston State University. To be held in Huntsville, Tex. Fee: \$175.

66. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates. To be held in Phoenix. Fee: \$495.

67. **Time Series Analysis.** Presented by the National Criminal Justice Computer Laboratory & Training Center.

68. **High Risk Warrant Service.** Presented by Executec International Corp.

69. **The Reid Technique of Interviewing & Interrogation.** Presented by John E. Reid & Associates. To be held in Minneapolis. Fee: \$495.

70. **Critical Incident Management.** Presented by the International Association of Chiefs of Police. To be held in Virginia Beach, Va. Fee: \$350 (IACP members); \$400 (non-members).

71. **The Kinetic Interview Technique II.** Presented by the Criminal Justice Center Police Academy, Sam Houston State University. Fee: \$175.

72. **Legal Issues in Private Security.** Presented by the Center for Criminal Justice, Case Western Reserve University. To be held in Cleveland, Ohio. Fee: \$95.

73. **Victims' Rights: Opportunities for Action.** Presented by the National Victim Center. To be held in Minneapolis. Fee: \$25.

74. **Street Survival '89.** Presented by Calibre Press. To be held in Newport, R.I. Fee: \$125 (all three days); \$95 (first two days only); \$65 (third day only).

75. **Narcotics Investigation.** Presented by the Traffic Institute. Fee: \$450.

For further information:

Aerko International, 516 N.E. 34th St., Fort Lauderdale, FL 33334. (305) 565-8475.

Broward Sheriff's Office, Organized Crime Centre, P.O. Box 2505, Fort Lauderdale, FL 33303. (305) 492-1810.

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60082. 1-800-323-0037.

Canadian Organization for Victim Assistance, c/o Calgary Police Service, Victim Assistance Unit, Attn: Sgt. Jack Whelply, 316 7th Ave. S.E., Calgary, Alberta, Canada T2G 0J2. (403) 268-2083.

Center for Criminal Justice, Case Western Reserve University School of Law, 11075 East Blvd., Cleveland, OH 44106. (216) 368-3308.

Criminal Justice Center Police Academy, Sam Houston State University, Box 2296, Huntsville, TX 77341-2296. (409) 294-1669, 70.

Criminal Justice Institute, St. Petersburg Junior College, P.O. Box 13489, St. Petersburg, FL 33733. (813) 341-4380.

Criminal Justice Training & Education Center, 301 Collingwood Blvd., Toledo, OH 43602. (419) 244-4680.

Eastern Kentucky University, Department of Correctional Services, Training

Resource Center, 202 Perkins Building, Richmond, KY 40475-3127. (606) 622-6187.

Executec International Corporation, P.O. Box 365, Sterling, VA 22170. (703) 478-3595.

Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

International Association of Chiefs of Police, 1110 N. Glebe Rd., Suite 200, Arlington, VA 22201. (703) 243-6500.

Richard W. Kobetz & Associates Ltd., Arcadia Manor, Rte. 2, Box 3645, Berryville, VA 22611. (703) 955-1128.

Narcotics Control Technical Assistance Program, Institute for Law & Justice Inc., 1018 Duke St., Alexandria, VA 22314. 1-800-533-DRUG.

National Crime Prevention Council, Technical Assistance Center, 733 15th St. N.W., Suite 540, Washington, DC 20005. (202) 393-7141.

National Crime Prevention Institute, School of Justice Administration, University of Louisville, Louisville, KY 40292. (502) 588-6987.

National Criminal Justice Computer Laboratory & Training Center, Attn: Jim Zepp, (202) 638-4155.

National Intelligence Academy, 1300

N.W. 62nd St., Fort Lauderdale, FL 33309. (305) 776-5500.

National Sheriffs' Association, 1450 Duke St., Alexandria, VA 22314. (703) 836-7827.

National Victim Center, 307 W. 7th St., Suite 1001, Fort Worth, TX 76102. (817) 877-3355.

Ohio Victims of Crime Program, c/o Victimization Conference, Box 194, Ross, OH 45061. (513) 421-MADD or (513) 241-4484.

Bruce T. Olson, Ph.D., 1015 12th St., Suite 6, Modesto, CA 95354-0811. (209) 527-2287.

Pennsylvania State University, Attn: Kathy Karchner, Conference Coordinator, 410 Keller Conference Center, University Park, PA 16802. (814) 863-3551.

Police Conference Services, 7040 W. Palmetto Park Rd., Suite 2-234, Boca Raton, FL 33433. (305) 338-0408.

Police Foundation, 1001 22nd St. N.W., Suite 200, Washington, DC 20037. (202) 833-1460.

John E. Reid & Associates Inc., 250 South Wacker Dr., Suite 1100, Chicago, IL 60606. (312) 876-1600.

Traffic Institute, 555 Clark St., P.O. Box 1409, Evanston, IL 60204 1-800-323-4011.

National Intelligence Academy, 1300

Law Enforcement News

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Law Enforcement News
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Beating crime with a big club

When Kingston, N.Y., Police Chief Jim Riggins (r.) wanted to get a drug unit going but had no money, the local Kiwanis Club rode to the rescue. He talks about this and more, **on 9.**



The value of human life

Amid the ongoing furor over the activities of an elite undercover unit that allegedly let criminals prey on victims in order to make cases, the Los Angeles Police Department issues a special order reaffirming its long-time motto: "To Protect and To Serve." **On 1.**

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